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JOURNAL

OF THE

PROCEEDINGS OF THE COUNCIL

OF THE

LEGISLATIVE ASSEMBLY

OF THE

TERRITORY OF OREGON,

DURING THE

Regular Session, from Dec. 1, 1856, to Jan. 29, 1857.

THE 81ST YEAR OF THE INDEPENDENCE OF THE UNITED STATES.

SALEM, OREGON:
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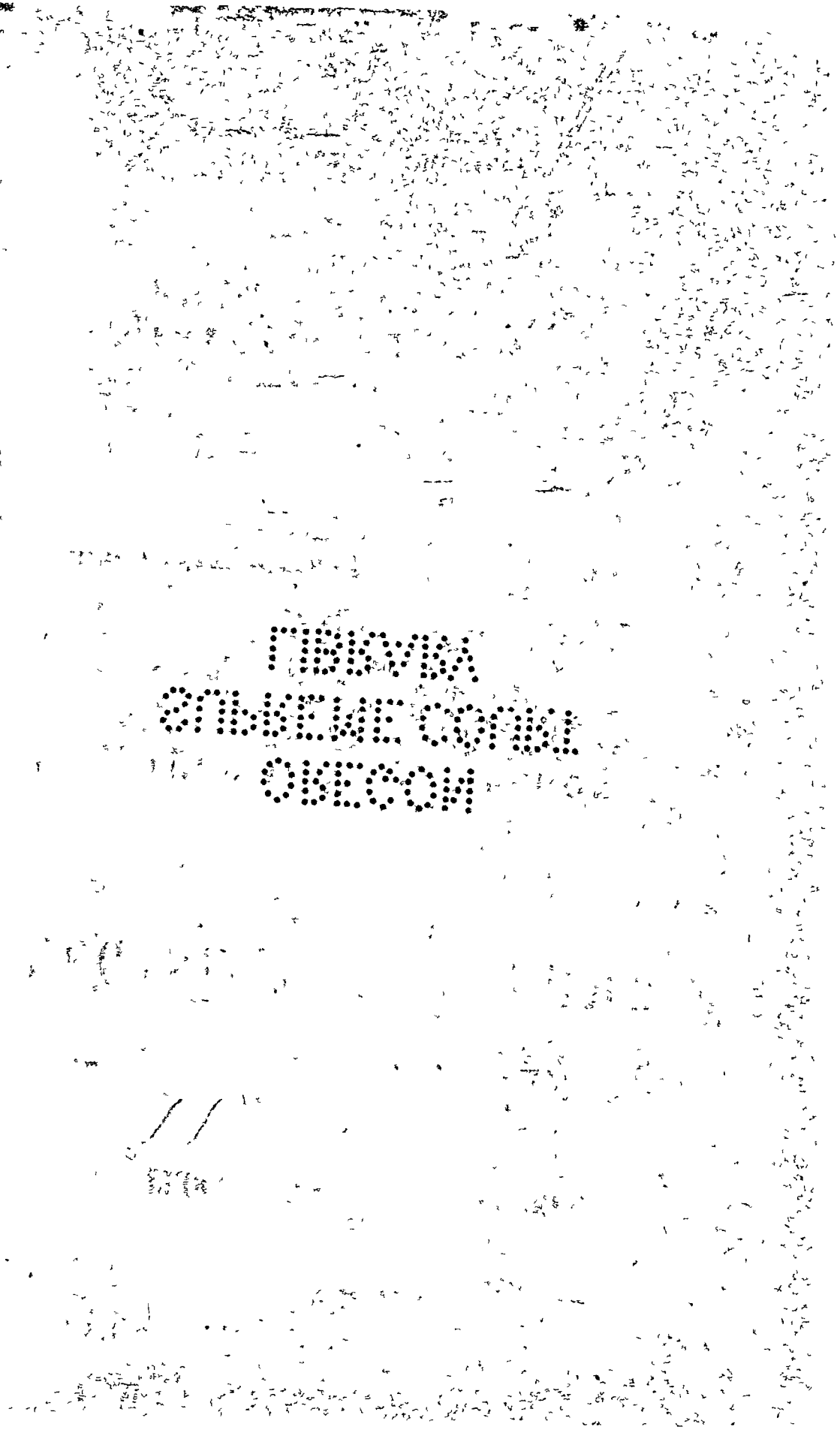
1857.


DEPUTY
ATTORNEY GENERAL
OREGON

JOURNAL OF THE COUNCIL.

MONDAY, DECEMBER 1, 1856.

PURSUANT to law, the eight regular session of the Legislative Assembly of the Territory of Oregon, convened at Salem on the first day of December, 1856.

The Council having met, organized by appointing a President and clerk, *pro tem.*

On motion of Mr. Kelly,
Mr. Peebles was appointed President, *pro tem.*

On motion of Mr. Smith,
A. S. Watt was appointed clerk, *pro tem.*

On motion of Mr. Kelly,
The President *pro tem.* appointed a committee on credentials.
Messrs. Kelly, O'Bryant and Smith, composed said committee.

On motion,
Council adjourned until to-morrow morning, 10 o'clock.

TUESDAY, DECEMBER 2, 1856.

Council met pursuant to adjournment.
Journal of yesterday read and approved.

Committee on credentials made the following report, viz:

The committee on credentials beg leave to report, that they have examined the certificates of members claiming to be elected members of the Council since the close of the last term, and find that—

Thomas R. Cornelius was duly elected a member of the Council from the counties of Washington, Columbia and Multnomah, for the term of three years.

James R. Bayley was duly elected a member of the Council from the the counties of Yamhill and Clatsop for the term of three years.

And Nathaniel Ford was duly elected a member of the Council from the counties of Polk and Tillamook for the term of three years.

Report received, and committee discharged.

Thomas R. Cornelius, James R. Bayley, and Nathaniel Ford, members elect, came forward and took the oath of office, administered by Judge Terry.

On motion by Mr. Kelly,

Council proceeded to the election of President, by *viva voce* vote.

James K. Kelly and John C. Peebles were put in nomination.

Whole number of votes cast, 7; of which,

James K. Kelly received	4
John C. Peebles received	2
Charles Drain received	1

James K. Kelly was declared duly elected.

Whereupon,

Mr. Kelly came forward and tendered his resignation.

Council refused to accept.

On motion by Mr. Smith,

The Chair appointed a committee, consisting of Messrs. Smith and Drain, to conduct the President elect to the chair.

On motion,

The oath of office was administered to the President elect by Judge Terry.

On motion by Mr. Smith,

Council proceeded to the election of chief clerk.

Ahio S. Watt was put in nomination.

Whole number of votes cast, 7.

Ahio S. Watt received whole number of votes cast, and was declared unanimously elected.

On motion,

Council proceeded to the election of assistant clerk.

John Costello and James Barnhart were put in nomination.

Whole number of votes cast, 7; of which,

John Costello received	4
James Barnhart received	3

John Costello was declared duly elected.

On motion,

Council proceeded to the election of enrolling clerk.

Thomas McF. Patton and L. W. Phelps were put in nomination.

Whole number of votes cast, 7; of which,

T. McF. Patton received	4
L. W. Phelps received	3

Whereupon, T. McF. Patton was declared duly elected.

On motion,

Council proceeded to the election of sergeant-at-arms.

George M. Holmes was put in nomination.

Whole number of votes cast, 7.

George N. Holmes received the whole number of votes cast, and thereupon was declared unanimously elected.

On motion,

Council proceeded to the election of door-keeper.

E. C. McLain was put in nomination.

E. C. McLain received the whole number of votes cast, and was thereupon declared unanimously elected.

On motion,

The oath of office was administered to the officers elect who were present by Judge Terry.

On motion,

Council adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

Council met pursuant to adjournment.

The sergeant-at-arms being present, came forward and took the oath of office, administered by the President.

On motion by Mr. Peebles,

A committee of three, consisting of Messrs. Peebles, Drain and Smith, was appointed to draft rules for the government of the Council.

On motion by Mr. Drain,

The reporters of the different presses are invited to seats within the bar.

Mr. Peebles offered the following resolution:

C. R. 1, *Resolved*, That until otherwise ordered, the Council shall meet at 10 o'clock, A. M., and 2 o'clock, P. M.

On motion,

The same was adopted.

On motion by Mr. Drain,

Council adjourned.

WEDNESDAY, DECEMBER 3, 1856.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Absent—Ross.

Mr. Drain offered the following resolution:

C. R. 2, *Resolved*, That the Secretary of the Territory be required to furnish the members with the Laws and Journals of the Territory: *provided*, that the bound Statutes be returned at the close of the session.

On motion,

The resolution was adopted.

Mr. Peebles offered the following resolution:

C. R. 3, *Resolved*, That the clerk of the Council be and hereby is directed to inform the House of Representatives that the Council has organized by the election of James K. Kelly, President; Alfio S. Watt, chief clerk; John Costello, assistant clerk; T. McF. Patton, enrolling clerk; George M. Holmes, sergeant-at-arms; E. C. McLain, door-keeper, and is now ready to proceed to business.

Which,

On motion of Mr. Peebles,

Was adopted.

Committee on rules reported the rules of last session as the standing rules of this session, with the following amendment:

Strike out all after the word "taken." in the second line of the 37th rule.

On motion by Mr. Peebles,

Report accepted, and committee discharged.

Rules adopted as amended.

On motion by Mr. Drain,

Council adjourned.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The President announced the following as the standing committees of the Council during the session:

Judiciary—Peebles, Drain and Ford.

Ways and Means—O'Bryant, Drain and Bayley.

Elections—Ford, Cornelius and Ross.

Claims—Drain, Peebles and O'Bryant.

Incorporations—Drain, Ross and Ford.

Counties—Ford, Cornelius and Bayley.

Military Affairs—Cornelius, Ford and Ross.

Commerce—Smith, O'Bryant and Peebles.

Education—Bayley, Peebles and Smith.

Engrossed Bills—Peebles, Smith and Bayley.

Roads and Highways—O'Bryant, Drain and Ross.

The following messages were received from the House:

MR PRESIDENT:

I am instructed by the Speaker of the House to inform you that the House is duly organized, by the election of L. F. Grover, Speaker; D. C. Dade, chief clerk; E. N. Bowman, assistant clerk; John Looney, enrolling clerk; Jacob S. Risley, sergeant-at-arms; and Henry Brown, door-keeper; and is now ready to proceed to business.

D. C. DADE,
Chief Clerk.

MR. PRESIDENT:

I am directed by the Speaker to inform you that the following resolution was adopted by the House:

Resolved, That a committee of two be appointed on the part of the House, to act with a like committee on the part of the Council, to wait on His Excellency the Governor, and inform him that the Legislative Assembly is duly organized, and are now ready for any communication that he may be pleased to make.

Messrs Smith, of Linn, and Dryer were appointed committee.

D. C. DADE,
Chief Clerk.

On motion,
Council concurred.

The President appointed Messrs. Drain and O'Bryant said committee.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the Speaker to inform you that the following resolution was adopted by the House:

Resolved, That a committee of three be appointed on the part of the House, to act with a like committee on the part of the Council, to draft and report rules for the government of the two Houses.

Committee appointed are the following gentlemen:
Messrs. Conser, Berry and Underwood.

D. C. DADE,
Chief Clerk.

On motion,
Council concurred,
And the President appointed Messrs, Peebles, Smith and Ford said committee.

On motion by Mr. Drain,
The following resolution was adoped.

Resolved, That the clerk of the Council be and hereby is authorized to subscribe for a sufficient number of the territorial newspapers, so as

to furnish each of the members and officers with six copies of such paper or papers as they may select.

On motion,

Council adjourned.

THURSDAY, DECEMBER 4, 1856.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Absent—Ross.

Mr. Drain, from the joint committee appointed to wait upon His Excellency the Governor, reported—

That, in connection with the committee from the House, they waited upon His Excellency the Governor, and communicated to him the fact that the Legislative Assembly was duly organized, and would be pleased to receive from him any communication which he desired to make. His Excellency desired the committee to convey to their respective Houses his thanks, and stated that any communication he would make, would be made in writing.

Mr. Peebles, from joint committee on joint rules for the government of the Assembly, reported the following:

1. While bills or joint resolutions are on their passage between the two Houses, they shall be on paper, under the signature of their clerks respectively.

2. After a bill or joint resolution shall have passed both Houses, it shall be duly enrolled on paper, and the clerk of the House where it originated shall endorse on the back thereof the House in which it originated, under which he shall place his signature.

3. Every bill or joint resolution, after being enrolled, shall be examined by the joint committee on enrolled bills, consisting of at least two members from each House, who shall compare the same with the engrossed bills, and correct any errors they may discover, so as to make it agree therewith, and make their report forthwith to their respective Houses.

4. Every bill or joint resolution reported to have been duly enrolled

shall be first signed by the Speaker of the House of Representatives, who shall send the same to the Council, then by the President of the Council.

5. All bills and joint resolutions shall be signed by the Speaker of the House of Representatives and President of the Council, in their Houses respectively, when in session, which shall be carefully noted on the journals of each House.

6. When any paper or papers, proper to be acted upon by both Houses, shall come before either, the House before which such paper or papers are laid, shall, after acting thereupon, lay it or them before the other House.

7. In case of disagreement between the two Houses, after passing the usual formalities, each House shall appoint, at the request of the other, two members to act as a committee of conference, which committee shall meet, endeavor to compromise the matter in dispute, and report to each House their proceedings thereon.

8. In all cases where the sergeant-at-arms of either House, by reason of official engagements, or other causes, be unable to execute the commands or process of the House of which he is an officer, it shall be the duty of the sergeant-at-arms of the other House to execute such commands, together with such process as may be directed to him by the presiding officer thereof.

9. When a message is sent to the Council or House of Representatives, it shall be announced at the door by the sergeant-at-arms or doorkeeper, and shall be respectfully communicated to the chair by the person by whom sent.

10. Messages shall be sent by such officers of the Council or House as the President of the Council or the Speaker of the House of Representatives may designate for that purpose.

11. No bill which shall have passed one House shall be sent for concurrence to the other on either of the last two days of the session.

12. The President of the Council and the Speaker of the House shall cause the clerk of each House to number the bills and resolutions originating in their respective Houses.

On motion,
Report received, and
Rules adopted.

Mr Ford, on leave, introduced the following bill:

C. B. 1, To extend the limits of Dallas, the county seat of Polk county.

Read a first time.

The following message was received from the House:

MR. PRESIDENT:

I am instructed by the Speaker of this House to inform you that the following resolution yesterday passed this House:

Resolved, the Council concurring, That a committee of three on the part of the House be appointed, to act with a like committee of the Council, to draft a memorial to Congress upon the subject of the late act of Congress relative to the judiciary.

Committee appointed—

Messrs. Avery, Lovejoy and Dryer.

D. C. DADE,
Chief Clerk.

On motion by Mr. Smith,

Council concurred,

And the President appointed as said committee, Messrs. Peebles, Ford and Smith.

Mr. Bayley gave notice that at an early day he would introduce a bill to provide for the sale of the University lands in the Territory, the proceeds thereof to be expended in the purchase of a suitable site and lands, &c., to erect suitable college buildings, to be known as the "Industrial University of Oregon."

Mr. Peebles offered the following resolution:

Resolved, That the clerk of the Council be and hereby is directed to procure the printing of fifty copies of the rules of the Council and joint rules of the Assembly, and an equal number of lists of the standing committees of the Council.

Which,

On motion by Mr. Drain,

Was adopted.

On motion,

Council adjourned.

AFTERNOON SESSION.

Mr. Smith, on leave, introduced a bill—

C. B. 2. A bill to provide for taking the sense of the people for or against the formation of a State Government.

Read first time and passed to a second reading.

Mr. Drain offered the following resolution:

Resolved, That upon the first reading of all bills, unless otherwise ordered, the clerk shall procure the printing of sixty copies for the use of the Council.

On motion by Mr. Smith,

Resolution adopted.

On motion,

Council adjourned.

FRIDAY, DECEMBER 5, 1856.

Council met pursuant to adjournment,

Absent—Ross.

Journal of yesterday read and approved.

Mr. O'Bryant presented the petition of H. N. V. Holmes, contestant of the seat of N. Ford, Councilman from the counties of Polk and Tillamook.

Read, and

On motion by Mr. Smith,

To lay on the table,

Lost.

On motion by Mr. Drain,

To refer to select committee of three, with power to send for papers and persons,

Adopted.

Committee consist of Messrs. Peebles, Smith and Drain.

Mr. Cornelius presented petition of Peter Crawford and others, viewers of territorial road, for relief.

Read, and

Referred to standing committee on roads and highways.

Mr. President, on leave introduced a bill—

C. B. 3, To incorporate the *Deschutes Bridge Company.*

Read first time.

The President appointed Messrs, Smith and Bayley, on behalf of the Council, on the joint committee on enrolled bills, in pursuance of joint rule No. 3.

Mr. Drain, on leave, introduced a bill—

C. B. 4. To repeal an act entitled "An act to provide for re-locating county seats."

Mr. Peebles offered the following resolution:

Resolved, That when the Council adjourn, that adjournment shall extend until Monday, the 8th inst., at 2 o'clock, P. M.

Adopted.

On motion,

Council adjourned.

MONDAY, DECEMBER 8, 1856.

Council met pursuant to adjournment.

Absent—Peebles, Ross and Smith.

Journal of Friday read and adopted.

Mr. Bayley, on leave, presented the report of University Land Commissioner of Oregon.

Read, and,

On motion by Mr. Drain,

Report received,

And one hundred copies ordered to be printed for the use of the Assembly.

C. B. 2, A bill to provide for taking the sense of the people for or against the formation of a State Government,

Read a second time, and

On motion by Mr. Drain,

Committed to committee on the judiciary.

On motion,

Council adjourned.

TUESDAY, DECEMBER 9, 1856.

Council met pursuant to adjournment.

Absent—Messrs. Ross and Smith.

Journal of yesterday read and approved.

Mr. O'Bryant, from the committee on roads and highways, reported back the petition of Peter Crawford and others for relief, and recommended that no action be taken thereon.

On motion by Mr. Drain,

Report adopted,

And committee released from further duty on said petition.

On motion,

Council adjourned.

AFTERNOON SESSION.

C. B. 1, A bill to provide for extending the county seat of Polk county,

Read a second time, and

On motion of Mr. Peebles,

Ordered to be engrossed and read a third time to-morrow.

C. B. 4, A bill to repeal an act entitled "An act to provide for relocating county seats,"

On motion by Mr. Peebles,

Referred to committee of the whole.

Message from the House:

MR. PRESIDENT:

I am instructed to inform you that Messrs. Lovejoy and Dryer are appointed on joint committee, in behalf of this House, on enrolled bills.

D. C. DADE,
Chief Clerk.

On motion,

Council adjourned.

WEDNESDAY, DECEMBER 10, 1856.

Council convened pursuant to adjournment.

Absent—Messrs. Ross and Smith.

Journal of yesterday read and approved.

Mr. Peebles, from committee on enrolled bills, reported—

C. B. 1, A bill to provide for extending the county seat of Polk county,

Duly engrossed.

Mr. Peebles, from judiciary committee, reported—

C. B. 2, A bill to provide for taking the sense of the people for or against the formation of a State Government,

Back to the Council, with sundry amendments.

1st amendment—

Section 3, 4th line, printed copy, after the word "favor," insert "of." Amend in same line, before the word "convention," insert "a."

On motion,

Adopted.

2d amendment—

Strike out all after the word "for," in 2d line of 4th section, printed copy, and insert "Delegate to Congress."

On motion,

Adopted.

3d amendment—

Section 5, strike out all after the word "That," to the words "it shall," and insert after the word "Territory," the words "on or before the second Monday in July next."

On motion by Mr. Peebles,

Adopted.

4th amendment—

Section 5th, strike out of the 6th and 7th lines, the words "fourth day of July next," and insert "third Monday in August next."

Adopted.

5th amendment—

Strike out section 7th, and insert,

"Each county shall be entitled to the following number of delegates, to wit: Clatsop, one (1), Columbia, one (1), Wasco, one (1), Washington,

three (3), Multnomah, three (3), Washington and Multnomah, jointly, one (1), Clackamas, five (5), Yamhill, four, (4), Marion, seven (7), Linn, six (6), Lane, six (6), Umpqua, two (2), Douglas, four (4), Coos, one (1), Curry, one (1), Josephine, two (2), Jackson, four (4), Benton, four (4), Polk, three (3), Polk and Tillamook, one (1), jointly.

On motion,

Adopted.

6th amendment—

Section 8th, strike out the word "agreeable," and insert the words "in conformity."

On motion,

Adopted.

On motion by Mr. Peebles,

Ordered to be engrossed, and read a third time to-morrow.

C. B. 1, To provide for extending the county seat of Polk county,

Read a third time,

And being on its final passage,

The yeas and nays were called:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, and Mr. President—7.

Nays—None.

So the bill passed.

The following message was received from the House:

MR. PRESIDENT:

I am directed by the Speaker to inform you that the following joint resolution was adopted by this House, viz:

Be it resolved by the Legislative Assembly of the Terrritory of Oregon, That, in the judgment of the said Legislative Assembly, the marriage solemnized between Noah Mull and Clarissa Mull, in the month of October, in the year 1853, in the county of Washington, in this Territory, was and is wholly and absolutely null and void, and without virtue, force or effect.

And concurrence respectfully requested.

I send the papers in the case.

D. C. DADE,
Chief Clerk.

On motion by Mr. Peebles,
Resolution and accompanying papers laid on the table.
Mr. Ford asked leave of absence until Tuesday, 15th inst.
On motion by Mr. Bayley,
Granted.
On motion,
Council adjourned.

AFTERNOON SESSION.

C. B. 3, A bill to incorporate the Deschutes Bridge Company,
Read second time, and
On motion by Mr. Drain,
Referred to committee of the whole.
Message from the House:

MR PRESIDENT:

As instructed by the Speaker, I transmit H. B's 1 and 5, which have passed this House, and ask concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

On motion by Mr. Peebles,
The further reading of
H. B. 1, To conform the practice of the courts to the act of Congress of August 16th 1856,
Deferred.
On motion by Mr. Peebles,
Rules suspended, and the bill read a second time now.
On motion of Mr. Smith,
Referred to committee on judiciary.

H. B. 5, An act to amend an act to regulate the treasury department,
Read first time, and
On motion by Mr. Peebles,
Rules suspended, and read a second time now, and
On motion of Mr. Peebles,
Referred to judiciary committee.
On motion of Mr. Peebles,
Council resolved itself into

COMMITTEE OF THE WHOLE,

On bills referred to said committee, viz:

C. B. 4, To repeal an act entitled "An act to provide for re-locating county seats."

C. B. 3, To incorporate the Deschutes Bridge Company.

Mr. Peebles in the chair.

Committee rose and reported back to the

COUNCIL,

C. B. 4, with recommendation that the bill do not pass; and

C. B. 3, with sundry amendments, and recommend that it do not pass.

On motion by Mr. Peebles,

C. B. 4, amended by adding after the word "Dalles," in 6th line, printed copy, the words, "and within five miles of the mouth of said river."

2d amendment—

Strike out, in section 13, 3d line, printed copy, the word "twenty," and insert "ten."

On motion by Mr. Peebles,

The bill, as amended, was ordered to be engrossed and read a third time to-morrow.

C. B. 4, To repeal an act entitled "An act to provide for re-locating county seats,"

Read a third time.

On motion by Mr. Peebles,

Indefinitely postponed.

On motion,

Council adjourned.

THURSDAY, DECEMBER 11, 1856.

The Council met pursuant to adjournment.

Absent—Messrs. Ross and Ford.

Journal of yesterday adopted.

Mr. Peebles, from committee on engrossed bills, reported—

C. B. 2, To provide for taking the sense of the people for or against the formation of a State Government,

Back to the Council, truly engrossed.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Smith, and Mr. President—7.

Nays—None.

So the bill passed.

Mr. Peebles, from judiciary committee, reported back

H. B. 1, A bill to conform the practice of the courts to the act of Congress of August 16th, 1856,

With recommendation that it do pass.

Also,

H. B. 5, A bill to amend an act to regulate the treasury department

With sundry amendments, as follows:

SEC. 4. The treasurer shall, immediately after his appointment, execute and deliver to the Governor a bond to the Territory of Oregon, in the sum of fifty thousand dollars, with not less than seven sureties, to be approved of by the Governor, conditioned to the faithful performance of all the duties required, or which may be required, of him by law.

SEC. 5. The territorial auditor shall receive an annual salary of five hundred dollars, to be audited by the territorial treasurer, and paid by him out of any money in the treasury not otherwise appropriated.

SEC. 6. All acts and parts of acts, inconsistent with the provisions of this act, are hereby repealed.

SEC. 7. This act to take effect from and after its passage.

Amendments severally adopted.

On motion by Mr. Peebles,

The bill was read a third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Smith, and Mr President—7.

Nays—None.

So the bill passed.

H. B. 1—Amendment as reported by the judiciary committee viz: Strike out in section 17, line 4, the word "sixty," and insert "ninety."

Adopted.

On motion by Mr. Peebles,

Rules suspended, and

H. B. 1 read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Drain, O'Bryant, Peebles, Smith, and Mr. President—6.

Nays—None.

So the bill passed.

Mr. Peebles asked leave of absence until Monday next.

On motion,

Leave was granted.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

On motion,

Council adjourned.

FRIDAY, DECEMBER 12, 1856.

Council convened pursuant to adjournment.

Absent—Messrs. Ross, Peebles and Ford.

Journal of yesterday read and approved.

Mr. Bayley, from the committee on engrossed bills, reported

C. B. 3, A bill to incorporate Deschutes Bridge Company.

Truly engrossed.

The bill was read a third time.

The question being on its final passage,

The yeas and nays were called, and resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Smith, and Mr. President—6.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

I am directed by the Speaker to inform you that this House have concurred in Council amendments to H. B's 1 and 5.

D. C. DADE,
Chief Clerk.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I transmit

H. B. 8, To change the name of Clarissa Hay,

Which has had three readings, and passed this House, and ask concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 8, To change the name of Clarissa Hay,

Read a first time.

On motion by Mr. Smith,

Rules suspended, and bill read a second time now.

On motion by Mr. Bayley,

Bill ordered to a third reading to-morrow.

Mr. Smith, on leave, introduced a bill—

C. B. 5, To incorporate Eugene City Lodge No. 11.

Read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now, and

On further motion,

Ordered that the bill be engrossed, and read a third time to-morrow.

Mr. Smith gave notice that on to-morrow, or some subsequent day, he would introduce a bill to amend the estray law.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

On motion,

Council adjourned.

SATURDAY, DECEMBER, 13, 1856.

Council convened pursuant to adjournment.

Absent—Messrs. Ford, Peebles, and Ross.

Journal of yesterday read and approved.

Mr. Bayley, from committee on engrossed bills, reported back to the Council

C. B. 5, To incorporate Eugene City Lodge, No. 11,

Truly engrossed.

The bill was read a third time.

The question being, "Shall this bill pass?"

The yeas and nays were called, and resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Smith, and Mr. President—6.

Nays—None.

So the bill passed.

Message from the Governor, by his secretary, Mr. Terry.

Message read, and,

On motion,

Ordered that the message and accompanying documents be laid on the table, and five hundred copies printed for the use of the Council.

H. B. 8, To change the name of Clara Hay,

Read a third time,

And being on its final passage resulted as follows:

Yeas—Messrs. Bayley, Cornelius, O'Bryant, Smith, and Mr. President—5.

Nay—Mr. Drain—1.

So the bill passed.

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker to inform the Council that

H. B. 11 has passed this House.

Also,

H. J. R. 4, Respecting an adjournment,

And

H. J. R. 5, Asking Congress for a wagon road from Grand Ronde Indian Agency to Tillamook Bay,

Were adopted by this House.

All of which I transmit, and, as instructed, request concurrence of Council in the same.

D. C. DADE,
Chief Clerk.

H. J. R. 4, To provide for the adjournment of the Assembly,

Read, and,

On motion,

Council concurred.

H. J. R. 5, In regard to wagon road from Grand Ronde Agency to Tillamook Bay,

Read, and,

On motion,

Council concurred.

H. B. 11, To incorporate Corinthian Lodge No. ——,

Read first time, and,

On motion,

Rules suspended, and bill read a second time now.

On further motion,

Rules suspended, and bill read a third time.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Smith, and Mr. President—6.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

I am directed by the Speaker of the House to inform you that C. B. 2 has passed the House, with the following amendment, to wit:

Add to section 8 the following:

"At such time as the said convention shall designate."

To which the concurrence of the Council is requested.

D. C. DADE,
Chief Clerk.

On motion by Mr. Drain,
Council concurred in House amendment.
On motion,
Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.
No quorum being present,
On motion by Mr Drain,
Council adjourned.

MONDAY, DECEMBER 15, 1856.

Council convened pursuant to adjournment.
Absent—Messrs. Ford, Peebles and Ross.
Journal of Saturday read and approved.

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives, O. T., to inform Council that C. B. 1 has passed this House, and transmit same to Council.

D. C. DADE,
Chief Clerk.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I transmit
H. J. R. 6, To provide room for Library,
Adopted in this House; and request Council's concurrence in same.

D. C. DADE,
Chief Clerk.

On motion by Mr. Drain,
Council concurred.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives I transmit C. B. 5, with certificate that it has passed this House.

Also, that H. B. 13 has passed this House, and ask concurrence of Council in same.

D. C. DADE,
Chief Clerk.

H. B. 13, read a first time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a second time now

On motion by Mr. O'Bryant,

H. B. 13, To amend an act entitled "An act to organize the militia,"

Referred to committee on military affairs

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to transmit

H. M. To Congress for repeal of act of Congress August 16th, 1856,

Which has passed this House, and ask the concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. M. To Congress for repeal of act of Congress August 16th, 1856,

Read, and,

On motion by Mr. Drain,

Council concurred.

On motion by Mr. O'Bryant,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

Mr. Bayley, on leave, introduced

C. J. R. 7, Instructing the delegate in Congress to secure a further donation of University lands.

On motion by Mr. Drain,

Ordered that the resolution lie on the table, and three hundred copies be printed for the use of the Council.

Message from the House:

MR. PRESIDENT:

I am directed by the Speaker to inform you that

H. J. R. 7, Requesting delegate in Congress to use his influence with the Treasury Department at Washington to instruct the Secretary of this Territory, &c.,

Which is herewith transmitted, has passed this House, and request concurrence of Council in same.

D. C. DADE, *Chief Clerk.*

On motion by Mr. Bayley,

Council concurred.

H. J. R. 7, Respecting the payment of rents at Corvallis.

On motion,

Council adjourned.

TUESDAY, DECEMBER 16, 1856.

Council met pursuant to adjournment.

Absent—Messrs. Ford and Ross.

Journal of yesterday read and approved.

Mr. Smith presented petition of B. B. Bowers and others, citizens of Lane county, asking for change of a portion of the territorial road from Oregon City to Pleasant Hill, Lane county.

On motion by Mr. Smith,

Referred to committee on roads and highways.

Mr. Peebles, on leave introduced

C. B. 6, A bill to prevent negroes and mulattoes from coming to or residing in Oregon.

Read first time.

Mr. Peebles introduced a resolution—

C. R. 7, Providing that when the Council adjourn, the adjournment shall be until to-morrow morning, 10 o'clock.

Adopted.

On motion,

Council adjourned.

WEDNESDAY, DECEMBER 17, 1856.

Council convened pursuant to adjournment.

Absent—Mr. Ross.

Journal of yesterday read and approved.

Mr. Cornelius, from committee on military affairs, reported

H. B. 13, A bill to amend an act entitled "An act to organize the militia,"

Back to the Council, without amendment, and recommend that it do pass.

H. B. 13, read a third time.

The question being, "Shall this bill pass?"

Resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Ford, O'Bryant, and Mr. President—5.

Nays—None.

So the bill passed.

Message from the House

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit

C. B. 3, To incorporate Deschutes Bridge Company,

Which, with amendment by House, passed. Please concur in amendment.

Also, H. B's 10 and 22, and

Memorial to Congress for appropriation to complete military road from Astoria to Salem;

Have passed this House for concurrence of Council.

D. C. DADE,

Chief Clerk.

On motion by Mr. O'Bryant,

Council concurred in House amendment to C. B. 3,

H. B. 10, To re-locate a part of the territorial road leading from Albany, in Linn county, to Drift Creek, in Marion county,

Read a first time.

H. B. 22, To appoint the times for holding the supreme court,

Read a first time.

H. M. In relation to Salem and Astoria military road,

Read, and,

On motion by Mr Cornelius,

Referred to committee of the whole.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment

Mr. Peebles, from select committee to whom was referred the petition, papers and proofs in the case of Holmes *vs.* Ford, the former of whom contests the right of the latter to his seat, on leave, made report of the action of the committee in this cause.

On motion by Mr. Smith,

That the report of the committee be adopted.

Pending which motion,

The papers in the case were read in part by the clerk.

During the reading,

Mr. Smith moved that the further reading of the papers be dispensed with.

The yeas and nays being called for, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, and Smith—3.

Nays—Messrs. Drain, O'Bryant, Peebles, and Mr. President—4.

So the the motion was lost.

Reading of the papers resumed.

On motion by Mr. Smith,

That the report of the committee and accompanying papers lie on the table, and five hundred copies ordered printed.

The yeas and nays were called, and resulted as follows

Yeas—Messrs. Bayley, Cornelius, Smith, and Mr. President—4.

Nays—Messrs. Drain, O'Bryant, and Peebles—3.

So the motion was adopted.

On motion,

Council adjourned.

THURSDAY, DECEMBER 18, 1856.

Council met pursuant to adjournment.

Absent—Ross.

Journal of yesterday read and approved.

Mr. Smith, from joint committee on enrolled bills, reported as truly enrolled—

C. B. 2, To provide for taking the sense of the people for or against the formation of a State Government.

Also,

C. B. 3, To incorporate the Deschutes Bridge Company,

Also,

C. B. 5, To incorporate Eugene City Lodge No. 11.

H. B. 10, To re-locate a part of the territorial road from Albany, in Linn county, to Drift Creek, in Marion county,

Read a second time, and

On motion by Mr. Cornelius,

That the bill be referred to committee on roads and highways,

Motion lost.

On motion by Mr. Peebles,

Rules suspended and bill read a third time now.

The question being, "Shall this bill pass?"

The yeas and nays were called, and resulted as follows

Yeas—Messrs. Bayley, Drain, Ford, O'Bryant, Peebles, Smith, and Mr. President—7.

Nays—Mr. Cornelius—1.

So the bill passed.

H. B. 22, A bill to appoint times for holding the supreme courts,

Read a second time, and

On motion by Mr. Bayley,

Rules suspended, and bill read a third time.

On motion by Mr. Peebles,

The vote suspending the rules on H B. 22 was reconsidered, and,

On motion by Mr. Peebles,

Referred to committee on judiciary.

On motion by Mr. Peebles,

The report of the University Land Commissioner was taken from the table, and

Referred to the committee on education

On motion by Mr. Peebles,

That the report of the special committee on the contested election be taken from the table,

The motion was lost.

On motion of Mr. Smith,

That the contested seat be made the special order of the 6th day of January, 1857,

Motion carried.

Message from the House:

MR. PRESIDENT

I am directed by the Speaker of the House to inform you that the House have passed the accompanying bill—

H. B. 9, To incorporate the Willamette Woolen Manufacturing Company,

And transmit the same for the concurrence of the Council.

D. C. DADE,
Chief Clerk.

H. B. 9, To incorporate the Willamette Woolen Manufacturing Company,

Read a first time.

On motion by Mr. Peebles,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to select committee, consisting of Messrs. Peebles, Bayley and Drain.

Message from the House:

MR. PRESIDENT

As instructed by the Speaker of the House of Representatives, I herewith transmit H. J. R's 4, 5, 6 and 7; also, H. B's 8 and 11; which

the Speaker of the House has signed, and request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

Message from the House.

MR PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit

H. J. R. 8, To appoint a joint examining committee to visit and examine the penitentiary;

H. M. To Congress for mail service from Portland to the Dalles, in Wasco county;

Also,

H. B. 24, A bill to provide for extra payment for professional services by the prosecuting attorney of the first judicial district;

Which have passed this House, and request concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. J. R. 8, To appoint a joint examining committee to visit and examine the penitentiary,

On motion by Mr. Bayley,

That H. J. R. 8 lie on the table,

Division was called for.

Motion lost.

On motion by Mr. Peebles,

Council concurred,

President appointed Mr O'Bryant on the part of the Council.

H. M. For mail service from Portland to the Dalles, in Wasco county,

Read, and,

On motion by Mr. Peebles,

Council concurred.

H. B. 24, A bill to provide for extra payment for professional services by the prosecuting attorney for the first judicial district,

Read first time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Drain,

Referred to judiciary committee.

On motion,

Council adjourned.

AFTERNOON SESSION.

The President announced that he had signed

H. B's 8 and 11, and H. J. R's 4, 5, 6 and 7.

Mr. Peebles, chairman of the select committtee to whom was referred

H. B 9, To incorporate the Willamette Woolen Manufacturing Company,

Reported same back to the Council with the following amendment:

Add at the end of the 5th line, section 5, the words,

"*Provided*, Said company shall at no time take from the Santiam river more than one half the volume of water in said river."

Mr. Peebles moved that the amendment be adopted.

Lost.

On motion by Mr. Peebles,

That the further consideration of the bill be postponed until the 6th day of January next,

Motion lost.

On motion by Mr. Drain,

Rules suspended, and bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Ford, O'Bryant, and Peebles—4.

Nays—Mr. Drain and Mr President—2.

So the bill passed.

Mr. Peebles, from the committee to whom was referred

H. B. 24, To provide for the payment of extra professional services by the prosecuting attorney of the first judicial district,

Reported the same back without amendment, and recommend that it do pass.

On motion by Mr. Peebles,

Rules suspended, and the bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Drain, Ford, O'Bryant, Peebles, and Mr. President—6.

Nays—None.

So the bill passed.

Mr. Peebles, from the committee to whom was referred H. B. 22, reported the same back without amendment, and recommend that it do pass.

On motion by Mr. Peebles,

Rules suspended, and the bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Drain, Ford, O'Bryant, Peebles, and Mr. President—6.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit H. B's 1 and 5, which the Speaker of the House has signed, and requests the signature of the President of the Council.

Also H. B's 14, 17 and 18, which have passed this House, and request concurrence of Council in the same.

D. C. DADE,

Chief Clerk.

H. B. 14, To locate a territorial road from the town of Dalles to John Day's River, in Wasco county,

Read first time, and

On motion by Mr. Drain,

Rules suspended, and the bill read a second time now.

On motion by Mr Drain,

Rules suspended, and bill read a third time now.

The bill being on its final passage, resulted as follows.

Yeas—Messrs. Bayley, Drain, Ford, O'Bryant, Peebles, and Mr. President—6.

Nays—None.

So the bill passed.

H. B. 17, An act to attach Cammas Prairie to, and make it a part of, Douglas county,

Read a first time, and,

On motion by Mr. O'Bryant,

Rules suspended, and bill read a second time now.

On motion by Mr. O'Bryant,

The rules were further suspended, and the bill read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Drain, Ford, O'Bryant, Peebles, and Mr. President—6.

Nays—None.

So the bill passed.

H. B. 18, A bill to amend an act relative to roads and ferries,

Read a first time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Drain,

Referred to committee on roads and highways.

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to transmit

H. J. R. 9, In relation to mail service,

And also,

H. M. To Commissioner of General Land Office relative to the Table Rock Reserve,

Which have passed this House, and request concurrence of Council in the same.

D. U. DADE,
Chief Clerk.

H. J. R. 9, In relation to mail service,

Read, and,

On motion by Mr. O'Bryant,

Council concurred.

H. M. To Commissioner of the General Land Office,

Read, and,

On motion by Mr. Peebles,

Council concurred.

Message from the House:

MR. PRESIDENT.

The Speaker has signed from the Council—

An act to incorporate the Deschutes Bridge Company,

An act to provide for taking the sense of the people for or against the formation of a State Government,

Also,

An act to incorporate Eugene City Lodge No. 11,

B. C. DADE, *Chief Clerk.*

The President announced that he had signed—

H. B. 5, An act to amend an act to regulate the treasury department,

H. B. 1, To conform the practice of the courts to the act of Congress of August 16th 1856,

C. B. 5, To incorporate Eugene City Lodge No. 11,

C. B. 2, An act to provide for taking the sense of the people for or against the formation of a State Government,

Also,

C. B. 3, A bill to incorporate Deschutes Bridge Company.

On motion,

Council adjourned.

FRIDAY, December 19, 1856.

Council convened pursuant to adjournment.

Absent—Messrs Cornelius, Drain, Ford, Ross, and Smith.

No quorum being present,

Council adjourned.

MONDAY, January 5, 1857.

Council convened pursuant to adjournment.

Absent—Messrs. Bayley, Cornelius, Drain, Peebles, and Smith.

No quorum being present.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment

Present—Messrs. Cornelius, Ford, O'Bryant, Ross, and President.

Journal of Thursday and Friday, the 18th and 19th December last, read and approved.

On motion,

Council adjourned.

TUESDAY, JANUARY 6, 1857.

Council convened pursuant to adjournment.

Absent—Smith.

Journal of yesterday read and approved.

On motion by Mr. Bayley,

To refer the matter of the contested seat to committee of the whole,

Carried.

On motion by Mr. Drain,

Council resolved itself into

COMMITTEE OF THE WHOLE,

On the matter referred to it, viz:

C. B. 6, A bill to prevent negroes and mulattoes from coming to or residing in Oregon;

Contested election case between Ford and Holmes;

After some time spent therein, committee rose and reported back to the

COUNCIL,

C. B. 6, with an amendment to the 9th section, and recommend that it do pass.

Also, reported progress in the case of the contested election, and asked leave to sit again.

On motion by Mr. Drain,

Council adopted the report of the committee on C. B. 6.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

On motion by Mr. Peebles,

C. B 6 ordered to be engrossed, and read a third time to-morrow.

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

On matters referred to it, viz: the matter of the contested election.

After some time spent in consideration of the same,

Committee rose and reported to the

COUNCIL,

By preamble and resolution as follows, viz:

WHEREAS, In the matter of the contested election between Horatio N. V. Holves and Nathaniel Ford, the evidence as well on the part of the contestant, as on part of the sitting member, having been duly considered, it is therefore

Resolved by the Council, That Nathaniel Ford, having received a majority of the legal votes cast for Councilman, in the counties of Polk and Tillamook, at the last general election, is declared to have been duly elected a member of the Council from the said counties of Polk and Tillamook, for the term of three years from the day of the last general election.

On motion,

Adopted.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I have the honor herewith to transmit

H. M. To Congress for military protection,

Which has been adopted by this House, and respectfully request concurrence of the Council in the same.

D. C. DADE,

Chief Clerk.

H. M. To Congress for military protection,

Read, and,

On motion by Mr. Peebles,

Ordered that the memorial be laid on the table and five hundred copies printed for the use of the Council.

On motion,

Council adjourned.

WEDNESDAY, JANUARY 7, 1857.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Cornelius presented petition of Susannah V. Delerma.

Petition read, and,

On motion by Mr. Cornelius,

Referred to select committee of three, consisting of Messrs. Cornelius, Drain and Ford.

Mr. O'Bryant, from committee on roads and Highways, reported back, without amendment—

H. B. 18, A bill to amend an act relating to roads and ferries,

C. B. 6, A bill to prevent negroes and mulattoes from coming to, or residing in Oregon,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, O'Bryant, Peebles and Ross—5.

Nays—Messrs. Ford and President—2.

So the bill passed.

H. B. 18, To amend an act relating to roads and ferries,

Read a third time,

And being on its final passage resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Ford, O'Bryant, Peebles, Ross, and Mr. President—8.

Nay—Mr. Drain—1.

So the bill passed.

Message from the House.

MR. PRESIDENT:

I have the honor, by direction of Mr. Speaker of House, to transmit H. B's 25, 26 and 29, which have passed the House of Representatives, and respectfully request concurrence of Council in the same.

D. C. DADE,

Chief Clerk,

H. B. 25, An act to amend an act entitled "An act for the establishment of a pilotage at Coos Bay Bar,"

Read a first time.

H. B. 26, An act to incorporate Jefferson institute,

Read a first time

On motion by Mr Peebles,

Rules suspended, and the bill read a second time now.

On motion by Mr. Peebles,

Referred to committee on corporations.

H. B. 29, To incorporate Corvallis Lodge, No. ——, of Free and Accepted Masons,

Read a first time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a second time now

On motion by Mr. Bayley,

Rules further suspended, and bill read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

On motion,

Council adjourned.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

On motion,

Council resolved itself into

COMMITTEE OF THE WHOLE,

On memorial to Congress for appropriation for completion of military road from Astoria to Salem, Oregon Territory.

After some time spent in consideration of the same, committee rose and reported back to the

COUNCIL,

The memorial, with a recommendation that it do pass.

On motion,

Council concurred in the memorial.

Message from the House

MR. PRESIDENT:

I have the honor of transmitting H. B's 9, 10, 13, and H. J. R. 8;

Memorial to Congress for repeal of an act of Congress of August 16, 1856,

Memorial to Congress for mail service from Portland to the Dalles, in Wasco county,

Have been respectively signed by the Speaker of this House, and respectfully request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

On motion by Mr. Bayley,

C. J. R. 1, Instructing our delegate in Congress to secure further donations of University lands,

Taken from the table and read.

On motion by Mr. Cornelius,

Resolution adopted.

The President announced that he had signed—

H. B. 9, To incorporate the Willamette Woolen Manufacturing company,

H. B. 10, To re-locate a part of the territorial road from Albany, in Linn county, to Drift Creek in Marion county,

H. B. 13, To amend an act entitled "An act to organize the militia,"

H. J. R. 8,

H. M. To Congress for mail service from Portland to Dalles, in Wasco county,

H. M. To Congress for repeal of an act of Congress of August 18th, 1856.

Mr. Drain, from the committee on corporations, reported back

H. B. 26, To incorporate Jefferson Institute,

Without amendment, and recommend that it do pass.

On motion by Mr. Peebles,

Rules suspended, and bill read a third time now.

The question being on its final passage, resulted as follows

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

On motion,

Mr. Peebles was granted leave of absence until Monday next.

On motion,

Council adjourned.

THURSDAY, JANUARY 8th, 1857.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Cornelius, from the select committee to whom was referred the petition of Susannah V. Delerma, reported by bill—

C. B, 7, To grant Susannah V. Delerma a divorce

Read a first time.

H. B. 25, An act to amend an act entitled "An act for the establishmnet of a pilotage on Coos Bay Bar,

Read second time, and

On motion by Mr. Smith,

Rules suspended, and bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

Mr. Smith introduced a bill—

C. B. 8, To incorporate Adelphosophical Society of Eugene City.

The bill was read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Smith,

Referred to committee on education.

On motion by Mr. Bayley,

H. M. 1 was taken from the table and read.

On motion by Mr. Ford,

Amended by striking out the words,

"Whilst, as a people, we are, as we trust, duly grateful for the favors which we have received from Congress in times past, we would take the liberty of suggesting, that though the Territory of Oregon is not Kansas, and that neither are our people "border ruffians," or negroes, yet we would most respectfully suggest, that we are not wholly unworthy of notice, and that Congress, in our judgment, might bestow a little attention upon us, and the country which we have chosen for our future homes, without serious prejudice to the interests of our "colored brethren."

Or the whole of the last paragraph but one.

H. M. 1,

On motion,

Adopted as amended.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

On motion,

Council adjourned.

FRIDAY, JANUARY 9, 1857.

Journal of yesterday read and approved

Mr. O'Bryant, from the committee on roads and highways, reported back the petition of B. B. Bowers, without recommendation.

Mr. Bayley reported, from committee on education

C. B. 8, To incorporate Adelphosopical Society of Eugene City,

Without amendment, and recommend that it do pass.

C. B. 7, To grant Susannah V. Delorma a divorce,

Read a second time, and,

On motion by Mr. Cornelius,

Ordered to be engrossed and read a third time to-morrow.

C. B. 8, To incorporate Adelphosophical Society of Eugene City,

On motion by Mr. Bayley,

Ordered to be engrossed and read a third time to-morrow.

On motion to adjourn,

The yeas and nays were called, and resulted as follows

Yeas—Messrs. Cornelius, Ford, O'Bryant and Ross—5.

Nays—Messrs. Baily, Drain and Mr. President—3.

So the Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment,

Mr. President, on leave, introduced

C. B. 9, A bill to amend an act to incorporate Oregon City, in Clackamas county.

Read a first time.

Message from the House:

MR. PRESIDENT.

As instructed by the Speaker, I transmit

H. B. 21, To provide for building bridges,

H. B. 23, A bill to amend an act to organize Curry county,

H. B. 31, An act to change a territorial road in Marion county,

H. B. 32, A bill to establish Montville Institute,

Which have passed this House, and ask concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 21, An act to provide for building bridges,

Read first time.

H. B. 23, A bill to amend an act to organize Curry county,

Read a first time, and,

On motion by Mr. Smith,

Rules suspended, and bill read a second time now,

On motion by Mr. O'Bryant,

Referred to the committee on counties.

H. B. 31, An act to change a territorial road in Marion county,

Read a first time,

On motion by Mr. Drain,

Rules suspended, and bill read a second time now,

On motion by Mr. Drain,

Referred to the committee on roads and highways.

H. B. 32, A bill to establish Montville Institute,

Read a first time,

On motion by Mr. Smith,

Rules suspended, and bill read a second time now,

On motion by Mr. Drain,

Rules further suspended, and bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Ross, Smith and Mr. President—8

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I transmit

H. B. 14, An act to locate a territorial road from the town of Dalles to John Day's River;

H. B. 17, An act to attach Cammas Prairie to, and make it a part of Douglas county;

H. B. 22, An act to appoint the times for holding the supreme court;

H. B. 24, An act to provide for the payment of extra professional services by the prosecuting attorney of the first judicial district;

H. M. To the Commissioner of the General Land Office relative to the Table Rock Reserve;

H. J. R. 9, In relation to mail service.

Which have been signed by the Speaker of this House, and request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

The President announced that he had signed—

H. B. 14, An act to locate a territorial road from the town of Dalles to John Day's River;

H. B. 17, An act to attach Cammas Prairie to, and make it a part of Douglas county;

H. B. 22, An act to appoint the times for holding the supreme court;

H. B. 24, An act to provide for the payment of extra professional services by the prosecuting attorney of the first judicial district;

H. M. To the Commissioner of the General Land Office relative to the Table Rock Reserve,

H. J. R. 9, In relation to mail service.

On motion,

Council adjourned.

SATURDAY, JANUARY 10, 1857.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Smith, from the committee on engrossed bills, reported as truly engrossed—

C. B. 7, To grant Susannah V. Delerma a divorce;

C. B. 8, To incorporate the Adelphosophical Society.

Mr. Smith, from joint committee on enrolled bills, reported as truly enrolled—

C. B. 1, To provide for extending the county seat of Polk county.

Mr. Ford, from the committee on counties, reported back without amendment—

H. B. 23, To amend an act entitled "An act to organize Curry county,"

And recommend that it do pass.

On motion by Mr. Bayley,

Mr. Smith obtained leave to withdraw the petition of B. B. Bowen and others for change of territorial road.

Papers withdrawn.

H. B. 21, To provide for building bridges,

Read a second time, and

On motion by Mr. Ford,

Referred to a select committee, consisting of Messrs. Ford, Smith and Drain.

C. B. 7 read a third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Ford, O'Bryant, Ross, and Smith—5.

Nays—Drain and Mr. President—2.

So the bill passed.

C. B. 8 read a third time, and

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Ross, Smith, and Mr President—7.

Nays—None.

So the bill passed.

H. B. 23, To amend An act entitled "An act to organize Curry county,"

Read a third time.

The yeas and nays were called, and resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Ross and Smith—7.

Nay—Mr. President—1.

So the bill passed.

Mr. Drain, on leave, introduced a bill—

C. B. 10, To amend an act entitled "An act to amend an act relating to the assessment of taxes," passed January 24th, 1856."

Read first time.

Mr. Smith, on leave, introduced a bill—

C. B. 11, To authorize Campbell E. Cristman and Lucinda Cristman to make a marriage settlement of their property.

Read a first time.

Mr. Bayley, on leave, introduced a bill—

C. B. 12, A bill to provide for taking the sense of the people on the location of the seat of government.

Read a first time.

Mr. Ford, on leave, reported back

H. B. 21, To provide for building bridges,

Without amendment.

On motion by Mr. Smith,

Rules suspended, and the bill read a third time now.

The question being, "Shall this bill pass?"

The yeas and nays were called, and resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

Mr. Ross, on leave introduced

C. B. 13, To repeal an act entitled "An act to substitute the *viva voce* for the ballot mode of voting."

Read a first time.

On motion,

Council adjourned.

MONDAY, JANUARY 12, 1857.

Council met pursuant to adjournment.

Journal of Saturday read and approved.

C. B. 9, To amend an act to incorporate Oregon City, in Clackamas county,

Read a second time, and

On motion by Mr. Drain,

Referred to committee on corporations.

C. B. 10, To amend an act entitled "An act regulating the assessment of taxes," passed January 24th, 1856,

Read a second time.

On motion by Mr. Peebles,

Referred to committee on ways and means.

C. B. 12, To provide for taking the sense of the people on the location of the seat of government,

Read a second time.

On motion by Mr. Drain,

Referred to committee of the whole.

C. B. 11, To authorize Campbell E. Cristman and Lucinda Cristman to make a marriage settlement of their property,

Read a second time, and

On motion by Mr. Peebles,

Referred to committee of the whole.

C. B. 13, To repeal an act entitled "An act to substitute the *viva voce* for the ballot mode of voting,"

Read a second time, and

On motion by Mr. Drain,

Referred to committee of the whole.

Mr. Smith, on leave, introduced

C. B. 14, To incorporate the Eugene City Bridge Company,

Read first time.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

Council resolved itself into

COMMITTEE OF THE WHOLE,

On matter referred, viz:

C. B. 11, To authorize Campbell E. Cristman and Lucinda Cristman to make a marriage settlement of their property;

C. B. 12, To provide for taking the sense of the people on the location of the seat of government; and

C. B. 13, To repeal an act entitled "An act to substitute the *viva voce* for the ballot mode of voting,"

After some time spent therein, committee rose, and reported back to

COUNCIL,

C. B. 11, without amendment, and recommend that it do pass.

C. B. 12, without amendment, and recommend that it it do pass.

Also,

C. B. 13, without amendment or recommendation.

On motion by Mr. Smith,

Rules s suspended, and

C. B. 13 read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

On motion by Mr. Smith,

C. B. 12 considered engrossed, and ordered to be read a third time to-morrow.

On motion by Mr. Smith,

C. B. 13 considered engrossed, and ordered to be read a third time to-morrow.

On motion,

Council adjourned.

TUESDAY, JANUARY 13, 1857.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. O'Bryant, from the committee on ways and means, to whom was referred

C. B. 10, To amend an act entitled "An act regulating the assessment of taxes," passed January 24th, 1856;

Reported by substitute.

Bill read a second time.

On motion by Mr. Peebles,

The substitute was adopted in lieu of the original bill

On motion by Mr. Drain,

Ordered that the usual number of copies be printed.

Mr. Drain, from the committee on corporations, reported back

C. B. 9, To amend an act to incorporate Oregon City, in Clackamas county,

With amendments, as follows, viz:

In first section, after the word "auctioneers," the words "taverns, ordinaries, hawkers, and pedlars."

Same section, after the word "restrain," the word "bar-room."

Same section, after the word "tables," the words "tippling houses."

On motion,

The amendments were adopted.

On motion by Mr. Peebles,

Ordered that the bill be engrossed, and read a third time to-morrow.

Mr. O'Bryant from committee on roads and highways, reported back

H. B. 31, To change a territorial road in Marion county,

Without amendment.

C. B. 12, To provide for taking the sense of the people on the location of the seat of government,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Ford, Ross, Smith and President—6.

Nays—Messrs. Drain, O'Bryant and Peebles—3.

So the bill passed.

C. B. 13, To repeal an act to substitute the *viva voce* for the ballot mode of voting,

Read a third time,

And being on its final passage resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Ross, Smith and Mr. President—5.

Nays—Messrs. Drain, Ford, O'Bryant and Peebles—4.

So the bill passed.

C. B. 31, To change a territorial road in Marion county,

Read a third time.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Drain. Ford, O'Bryant, Peebles, Ross and Mr. President—7.

Nay—Mr. Cornelius—1.

So the bill passed.

Message from the House

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit

H. J. R. 13, For joint convention of both Houses, &c,

Which has passed this House, and request concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

On motion by Mr. Peebles,

Council concurred in H. J. R. 13.

Mr. Peebles, on leave, introduced a bill—

C. B. 15, For the relief of John Baker.

Read a first time.

Message from the House

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit

H. M. To Congress for appropriation for completion of military road from Astoria to Salem;

H. B's 18, 29, 32 and 40;

Which have been signed by the Speaker of the House, and request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

Message from the House

MR. PRESIDENT.

As instructed by the Speaker of the House of Representatives, I herewith transmit H. B's 33, 34 and 37, which have passed this House.

And also,

C. J. R. 1, Instructing delegate to Congress, &c;

As amended, has passed this House, and ask concurrence of Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 33, To incorporate the Portland Lyceum,
Read a first time.

H. B. 34, To provide a penalty where county auditors neglect the duties imposed upon them by law, and to declare the duty of the territorial auditor in all cases of delinquency,
Read a first time.

H. B. 37, To extend the time for opening roads,
Read a first time.

C. J. R. 1, Instructing delegate to Congress, &c.,
As amended by the House,
Read, and,
On motion by Mr. Peebles,
Adopted.

The President announced that he had signed
H. B. 29, To incorporate Corvallis Lodge, No. ——, of Free and Accepted Masons,
H. B. 18, To amend an act relating to roads and ferries,
H. B. 32, A bill to establish Montville Institute;
And also,
H. M. To Congress for appropriation for completion of military road from Astoria to Salem.

Message from the House.

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit
H. B. 20, To incorporate the town of Salem;
H. B. 43, To repeal an act entitled "An act to incorporate the Polk and Marion County Free Ferry Company;
Which have passed this House, and request concurrence of Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 20, To incorparate the town of Salem,
Read a first time, and

On motion by Mr Peebles,
Rules suspended, and the bill read a second time now.
On motion by Mr. Peebles,
Referred to committee of the whole.
H. B. 40, To incorporate the Albany Library and Literary Society,
Read first time, and
On motion by Mr. Drain,
Rules suspended, and the bill read a second time now.
On motion by Mr. Bayley,
Rules suspended, and bill read a third time now.
The bill being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.
On motion,
Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.
H. B. 43, To repeal an act entitled "An act to incorporate the Polk and Marion county Free Ferry Company,"
Read first time.
On motion,
Council resolved itself into

COMMITTEE OF THE WHOLE,

On the matter referred, viz:
H. B. 20, To incorporate the town of Salem.
After some time spent therein, committee rose and reported back to the

COUNCIL,

H. B. 20, with amendments, as follows, viz:
1st amendment—
In 10th line, 6th section, strike out the words, "taverns, ordinaries, hawkers, pedlars."

On motion by Mr. Peebles,

Adopted.

2d amendment—

Same section, 13th line, strike out the words, "bar-rooms, tippling houses."

On motion by Mr. Peebles,

Adopted.

3d amendment—

Same section, 43d line, printed copy, strike out the words, "shall have power to prevent the introduction of diseases into the city."

On motion by Mr. Peebles,

Adopted

On motion by Mr. Peebles,

The rules were further suspended, and the bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross and Mr. President—7.

Nays—None.

So the bill passed.

Message from the House.

MR. PRESIDENT:

As instructed by the Speaker of the House, I have the honor herewith to transmit

H. M. To Congress to pay the expenses and volunteers called into active service in 1854,

Which was adopted; and H. B. 12 passed the House, and request the concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. M. To Congress to pay the expenses and volunteers called into service in the year 1854,

Read, and,

On motion by Mr. Drain,

Adopted by Council.

H. B. 12, To define the boundary between Multnomah and Wasco counties,

Read a first time.

On motion,

Council adjourned.

WEDNESDAY, JANUARY 14, 1857.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Ford presented the petion of I. R. Moores and others in relation to the Salem Free Ferry Company.

On motion by Mr. Ford,

Referred to judiciary committee.

Mr. Peebles, from the committee on engrossed bills, reported as truly engrossed—

C. B. 9, A bill to amend an act to incorporate Oregon City, in Clackamas county.

C. B. 14, To incorporate Eugene City Bridge Company,

Read a second time, and,

On motion by Mr. Drain,

Referred to committee of the whole.

C. B. 15, For the relief of John Baker,

Read second time, and,

On motion by Mr. Peebles,

Referred to the committee on claims.

H. B. 12, To define the boundary lines between the counties of Wasco and Multnomah,

Read a second time, and,

On motion by Mr. Cornelius,

Rules suspended, and bill read a third time now,

The question being, "Shall this bill pass?"

The yeas and nays were called, and resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 33, To incorporate the Portland Lyceum,

Read a second time, and,

On motion by Mr Drain,

That the bill be amended by adding a new section—

SEC. 6. The Legislature shall have power to alter or repeal this charter.

2d amendment—

Change section 6 so as to read, "Section 7."

Amendments adopted.

On motion by Mr. Cornelius,

Rules suspended, and the bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 37, To extend the time for opening roads,

Read a second time, and,

On motion by Mr. Cornelius,

Referred to committee on roads and highways.

H. B. 34, A bill referring to county auditors,

Read a second time, and,

On motion by Mr. Drain,

Referred to committee of the whole.

H. B. 43, A bill to amend an act entitled "An act to incorporate the Polk and Marion Free Ferry Company,"

Read a second time, and,

On motion by Mr. Ford,

Referred to committee on judiciary.

C. B. 9 read a third time,

And being on its final passage, resulted as follows.

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Smith and Mr. President—8.

Nays—None.

So the bill passed.

On motion by Mr. Cornelius,

C. B. 16, To amend an act relating to the assessment of taxes,

Referred to committee of the whole.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit H. B's 25 and 26, which the Speaker of the House has signed, and requests the signature of the President of the Council.

Also, C. B's 7 and 8 have passed the House.

Also, H. B's 35, 38, 39, 44, 46, 47, and 48, and requests concurrence of Council in the same.

D. C. DADE,
Chief Clerk.

The President announced that he had signed H. B's 25 and 26.

H. B. 35, For the relief of certain creditors of the Territory,
Read a first time.

H. B. 38, To revive an act entitled "An act to locate and establish a territorial road from the mouth of Sandy, in Multnomah county, to the Dalles in Wasco county,"
Read a first time.

H. B. 39, To change the name of William Wilson,
Read a first time.

H. B. 44, To change a portion of the territorial road from Boonville, in Benton county, to Eugene City, in Lane county,
Read a first time.

H. B. 46, To change a portion of the territorial road leading from Jacob Spores' to Winchester,
Read a first time.

H. B. 47, To re-locate a portion of the territorial road leading from Corvallis, in Benton county, to Estes', in Umpqua county,
Read a first time, and,
On motion by Mr. Smith,
Rules suspended, and bill read a second time now.
On motion by Mr. Smith,
Amended by striking out in section 1st, 6th line, "Winchester, Douglas county," and insert "Estes', Umpqua county."
Amendment adopted.

On motion by Mr. Drain,
Rules further suspended, and bill read a third time now
And being on its final passage, resulted as follows.

Yeas—Messrs Bailey Drain, Ford, Peebles, Ross, Smith and Mr. President—7.

Nays—None.

So the bill passed.

H. B. 48, To locate a territorial road from Miller's Ferry, Washington county, to Portland, in Multnomah county,

Read a first time.

On motion,

Council adjourned.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

The President announced that he had signed—

An act to provide for extending the county seat of Polk county.

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

On matter referred, viz:

C. B's 14 and 16, and H. B. 34,

Mr. Ross in the chair.

After some time spent in consideration of the same, committee rose and reported back to the

COUNCIL,

C. B. 14, with amendments, and recommend that it pass, as amended,

Also, C. B. 16, with amendments, and recommend that it do pass, as amended.

Also, H. B. 34, without amendment, and recommend that it do pass.

On motion by Mr. Drain,

C. B. 16 amended as follows, viz:

Amend section 4th by adding, after the figures "1855," in 2d line, the following: "And also the third sub-division of section 4, of an act relating to the assessment and collection of taxes, passed Jan. 27, 1854."

On motion by Mr. Peebles,

Amended by striking out the 7th section.

On motion by Mr. Peebles,

Amended by striking out the 1st, 3d, 5th and 6th sections.

Also,

On motion by Mr. Peebles,

Amended by inserting the words, "First section," in lieu of "Second

section," "Second section," in lieu of "Fourth section," and "Third section," in lieu of "Eighth section."

On motion by Mr. Peebles,

C. B. 16, so amended, ordered to be engrossed and read a third time to-morrow.

On motion by Mr. Peebles,

H. B. 34 ordered to be engrossed and read a third time to-morrow.

On motion by Mr. Bayley,

C. B. 14, To incorporate the Eugene City Bridge Company, Amended as follows, viz:

In 12th line, of the 8th section, insert, after the word "passenger," the words "five cents."

Strike out in same section, 18th line, the words "seventy-five cents," and insert the words "sixty cents."

Same section, twentieth line, strike out the words "seventy-five cents," and insert the words "sixty cents."

Same section, 14th line, strike out the words "twelve and a half cents," and insert "ten cents."

Same section, 21st line, strike out the words "one dollar," and insert the words "seventy-five cents."

Same section, 22d line, strike out the words "twelve and a half cents," and insert the words "ten cents."

On motion by Mr. Peebles,

Ordered that C. B. 14, as amended, be engrossed and read a third time to-morrow.

On motion,

Council adjourned.

THURSDAY, JANUARY 15th, 1857.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Ford presented the petition of A. Blevins and others for a change of the territorial road leading from Salem to Tetherow's Mills.

On motion by Mr. Ford,

Referred to committee on roads and highways

Mr. O'Bryant, from the committee on roads and highways, reported, without amendment—

H. B. 37, To extend the time for opening roads,

And recommend that it do pass.

H. B. 35, For the relief of certain crediters of the Territory,

Read a second time, and

On motion by Mr. Peebles,

Referred to committee of the whole.

H. B. 38, To revive an act entitled "An act to locate a territorial road from the mouth of Sandy, in Multnomah county, to the Dalles, in Wasco county,"

Read a second time, and

On motion by Mr. Cornelius,

Referred to committee of the whole.

H. B 39, To change the name of William Wilson,

Read second time, and

On motion by Mr. Drain,

Referred to committee of the whole.

H. B. 44, To re-locate a territorial road from Boonville, in Benton county, to Eugene City, in Lane county,

Read a second time, and

On motion by Mr. Drain,

Referred to the committee on roads and highways.

H B. 46, To change a portion of the territorial road leading from Jacob Spores' to Winchester,

Read a second time, and

On motion by Mr. Peebles,

Rules suspended, and bill read a third time now.

The question being on its final passage, resulted as follows

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 48, To locate a territorial road from Miller's Ferry, in Washington county, to Porland in Multnomah county,

Read a second time, and,

On motion by Mr. Cornelius,

Rules suspended, and bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 34, A bill referring to county auditors.

Read a third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 37, To extend the time for opening roads,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT.

I herewith, as instructed by Mr. Speaker, transmit H. B's 21 and 23, which have been signed by the Speaker of this House, and request the signature of the President of the Council to the same.

D. C. DADE,

Chief Clerk.

Message from the House:

MR. PRESIDENT.

I have the honor, by direction of Mr. Speaker of House, to transmit H. B's 45, 49 50, 52 and 53, which have passed the House of Representatives, and request concurrence of Council in the same.

D. C. DADE,

Chief Clerk,

H. B. 45, To incorporate the Portland and Dayton Plank Road Company,

Read a first time.

H. B. 49, To incorporate Samaritan Lodge, No. 2, of Odd Fellows, in the city of Portland, Territory of Oregon,

Read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Bayley,

Rules further suspended, and bill read a third time now.

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 50, To amend an act entitled "An act to regulate the fees of certain officers and other persons,"

Read a first time.

H. B. 52, To amend an act entitled "An act to incorporate the Tualatin River Transportation and Navigation Company,"

Read a first time.

H. B. 53, To amend an act entitled "An act relating to common schools and school lands,"

Read a first time.

Mr. Peebles, on leave, reported

C. B. 16, To amend an act relating to the assessment of taxes,

Truly engrossed.

C. B. 16 read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. O'Bryant, Peebles and President—3.

Nays—Messrs. Bayley, Drain, Cornelius, Ford, Ross and Smith—6.

So the bill did not pass.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment

Mr. Smith, from the committee on enrolled bills, reported as truly enrolled—

C. B. 7, To grant Susannah V. Delerma a divorce;

C. B. 8, To incorporate the Adelphosophical Society.

Also,

C. J. R. 1, Instructing delegate in Congress to secure further donation of University lands.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I transmit C. B. 11 and H. B. 54, Which have passed this House, and ask concurrence of the Council in H. B. 54.

D. C. DADE,
Chief Clerk.

H. B. 54, To locate a territorial road from Jacksonville, in Jackson county, to the California line, on or near the Crescent City trail, in Josephine county,

Read first time.

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to transmit H. B's 55, 58 and 60, which have passed this House, and request concurrence of Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 55, To revive an act for the relief of Clackamas, Washington, Columbia, Linn, Multnomah and Yamhill counties,

Read first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Drain,

Rules further suspended and bill read a third time now,

And being on its final passage, resulted as follows

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 58, To establish the Umpqua Academy.

Read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Smith,

Rules further suspended, and bill read a third time now.

The bill being on its final passage, resulted as follows;

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 60, To locate a territorial road from Salem to Portland.

Read a first time.

On motion by Mr. Drain,

Council resolved itself into

COMMITTEE OF THE WHOLE,

On matters thereunto referred, viz.

H. B's 35, 38 and 39.

Mr. Smith in the chair.

After some time spent therein, committee rose and reported back to

COUNCIL,

H. B's 38 and 39, without amendment, and recommend that they do pass.

Also H. B. 35, with amendment, and recommend that it do pass.

On motion by Mr. Peebles,

Rules suspended, and H. B. 38 read a third time now.

And being on its final passage, resulted as follows

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—9.

Nays—None.

So the bill passed.

H. B. 39—

On motion by Mr. Bayley,

Rules suspended, and bill read a third time now,

And being on its final passage resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nay—Mr. Drain—1.

So the bill passed.

H. B. 35,

On motion by Mr. Peebles,

Amended by striking out the words "one hundred and five dollars," and inserting "ninety-five dollars in, first section.

On motion by Mr. Peebles,

Rules suspended, and the bill read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Ross, Smith, and Mr. President—7.

Nays—Messrs. Bayley and Peebles—2.

So the bill passed.

Mr. Peebles, on leave, introduced

C. B. 16, Relating to the assessment and collection of taxes

Read first time, and

On motion by Mr. Peebles,

Rules suspended, and bill read a second time now

On motion by Mr. Peebles,

Referred to select committee consisting of Messrs. Peebles, Cornelius and Drain.

On motion,

Council adjourned.

FRIDAY, JANUARY 16, 1857.

Council convened pursuant to adjournment.

Journal of yesterday read and approved.

Mr. O'Bryant, from the committee on roads and highways, to whom was referred the petition of H. Blevins and others, reported by bill—

C. B. 18, To amend an act to locate a territorial road from Salem to Tetherow's Mill.

Read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Ford,

Referred to select committee consisting of Messrs. Ford, Drain and Bayley.

Mr. O'Bryant, from the committee on roads and highways, reported back, without amendment—

H. B. 44, To re-locate a territorial road from Booneville, in Benton county, to Eugene City, in Lane county.

Mr. Drain, from the committee on claims, to whom was referred

C. B. 15, For the relief of John Baker,

Made a majority report adverse to the passage of said bill.

Mr. Peebles, from said committee, made a minority report in favor of said claim.

On motion by Mr. Peebles,

Ordered that the majority and minority reports lie on the table.

H. B. 44, To relocate a territorial road from Booneville, in Benton county, to Eugene City, in Lane county,

Read a second time, and,

On motion by Mr. Cornelius,

Ordered to be engrossed, and read a third time to-morrow.

H. B. 45, To incorporate the Portland and Dayton Plank Road Company,

Read a second time.

On motion by Mr. Cornelius,

Referred to committee on corporations.

H. B. 50, To amend an act entitled "An act to regulate the fees of certain officers and other persons,"

Read a second time, and,

On motion by Mr. Cornelius,

Referred to committee of the whole.

H. B. 52, To amend an act entitled "An act to incorporate the Tualatin Navigation and Transportation Company,"

On motion by Mr. Drain,

Referred to committee of the whole.

H. B. 53, To amend an act entitled "An act relating to common schools and school lands,

Read a second time, and,

On motion by Mr. Drain,

Ordered that the bill be engrossed, and read a third time to-morrow.

H. B. 54, To locate a territorial road from Jacksonville, in Jackson county, to the California line, at or near the Crescent City trail, in Josephine county,

On motion by Mr. Ross,

Referred to select committee, consisting of Messrs. Ross, O'Bryant and Ford.

H. B. 60, To locate a territorial road from Salem to Portland,

Read a second time.

On motion by Mr Drain,

Rules suspended, and the bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross and Mr. President—8.

Nays—None.

So the bill passed.

C. B. 15, For the relief of John Baker,

Came up on its third reading.

On motion by Mr. Peebles,

That the majority and minority reports on C. B. 15 be taken from the table,

Motion lost.

On motion by Mr Peebles,

Ordered that the further consideration of C. B. 15 be deferred until afternoon.

On motion by Mr. Peebles,

The majority and minority reports on C. B. 15 taken from the table.

On motion by Mr. Peebles,

The further consideration of said reports deferred until afternoon.

Mr. Peebles, from the select committee to whom was referred

C. B. 17, Relating to the assessment and collection of taxes,

Reported the same back without amendment.

On motion by Mr. Cornelius,

C. B. 17 referred to committee of the whole

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

On the matter referred, viz:

C. B. 17, Relating to the assesment and collection of taxes,

Mr. Drain in the chair.

After some time spent therein, committee rose and reported back to the

COUNCIL,

C. B. 17, with amendments, and recommend that it do pass.

On motion by Mr. Peebles,

C. B. 17 read, and amended as follows:

Amend section 1st by striking out all after the enacting clause and inserting the following:

"That Section 2 of an act entitled 'An act to amend an act relating to the assessment and collection of taxes,' passed January 24, 1856, is hereby repealed; and Section 2 of an act passed January 26, 1855, entitled 'An act to amend an act relating to the assessment, and an act relating to the assessment and collection of taxes,' is hereby revived and declared to be in full force."

On motion by Mr. Peebles,

C. B. 17 ordered engrossed and read a third time to-morrow.

Message from the House:

MR. PRESIDENT,

As instructed by the Speaker of the House of Representatives, I herewith transmit

An act to incorporate the Adelphosophical Society of Eugene City;

An act to grant Susannah V. Delerma a divorce; and

C. J. R. 1, Instructing delegate in Congress to secure further donation of University lands;

Which have been signed by the Speaker of this House, and request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

On motion by Mr. Bayley,

Mr. Ford granted leave of absence until Monday, the 19th inst.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

The President announced that he had signed—

C. J. R. 1, Instructing delegate in Congress to secure further donations of University lands;

Also,

C. B. 7, To grant Susannah V. Delerma a divorce;

C. B. 8, To incorporate the Adelphosophical Society;

H. B. 21, To provide for building bridges;

H. B. 23, An act to amend an act entitled "An act to organize Curry county."

On motion by Mr. Drain,

The further consideration of C. B. 15, and accompanying reports be deferred until Tuesday next.

On motion by Mr. Bayley,

Council resolved itself into

COMMITTEE OF THE WHOLE,

Mr. O'Bryant in the chair,

On matter referred, viz:

H. B. 50, To amend an act entitled "An act to regulate the fees of certain officers and other persons;"

H. B. 52, To amend an act entitled "An act to incorporate the Tualatin River Transportation and Navigation Company."

After some time spent in consideration of the same, committee rose and reported back to the

COUNCIL,

H. B. 50, with recommendation that it do pass.

Also, H. B. 52, without amendment, and recommend that it do pass.

H. B. 50 read a third time.

The question being on its final passage, resulted as follows:

Yeas—None.

Nays—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Ross, and Mr. President—7.

So the bill did not pass.

H. B. 52 read and,

On motion by Mr. Bayley,

Rules suspended, and bill read a third time now.

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

On motion,

Council adjourned.

SATURDAY, JANUARY 17, 1857.

Council met pursuant to adjournment.

Journal of yesterday read and approved.

Mr. Peebles, from the committee on engrossed bills, reported as truly engrossed—

C. B. 14, To incorporate the Eugene City Bridge Company;

C. B. 17, Relating to the assessment and collection of taxes.

Mr. Bayley, from the committee on enrolled bills, reported as truly enrolled—

An act to authorize Campbell E. Cristman and Lucinda Cristman to make a marriage settlement of their property.

Mr. Drain, from the committee on corporations, to whom was referred

H. B. 45, To incorporate the Portland and Dayton Plank Road Company,

Reported the same back to the Council with sundry amendments, and recommend that it do pass.

Mr. Ross, from the select committee to whom was referred

H. B. 54, To locate a territorial road from Jacksonville, in Jackson county, to the California line, on or near the Crescent City trail, in Josephine county,

Reported the same back, without amendment, and recommend that it do pass.

C. B. 14, To incorporate the Eugene City Bridge Company,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

C. B. 17, Relating to the assessment and collection of taxes,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Drain, O'Bryant, Peebles, Ross, and Mr. President—6.

Nay—Mr. Cornelius—1.

So the bill passed.

H. B. 45, To incorporate the Portland and Dayton Plank Road Company,

Read a third time, and,

On motion by Mr. Peebles,

Amended in first section as reported by committee—that is: Section 1st, 12th line, after the word "Portland," strike out the words, "By way of the Chehalem Gap."

2d amendment lost.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

H. B. 54, To locate a territorial road from Jacksonville, in Jackson

county, to the California line, on or near the Crescent City trail, in Josephine county,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bailey, Cornelius, Drain, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

H. B. 44, To change a portion of the territorial road from Boonville, in Benton county, to Eugene City, in Lane county,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

H. B. 53, To amend an act entitled "An act relating to common schools and school lands,"

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit

H. M. To Congress for appropriation to establish military road from Rainier, &c.

Also,

H. M. To Congress for the relief of heirs of Thomas Jeffries;

Which have been adopted by this House, and request concurrence of the Council in the same.

D. C. DADE,

Chief Clerk.

H. M. To Congress for appropriation to establish military road from Rainier, &c.,

Read, and,

On motion by Mr. Cornelius,

Council concurred.

H. M. To Congress for relief of the heirs of Thos. Jeffries,

Read, and,

On motion by Mr. Peebles,

Referred to committee of the whole.

Mr. Peebles, on leave, introduced

C. R. 9, That when the Council adjourn, the adjournment shall be until Monday, the 19th inst., at 10 o'clock, A. M.

Resolution adopted.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit H. B's 12, 20, 31, 33, 40 and 47, which the Speaker of the House has signed, and requests the signature of the President of the Council.

D. C. DADE,
Chief Clerk.

The President announced that he had signed H. B's 12, 20, 31, 33, 40 and 47.

The President, on leave, introduced

C. B. 19, To amend an act to regulate proceedings in actions at law in the supreme and district courts,

Read a first time.

On motion,

Council adjourned.

MONDAY, JANUARY 19, 1857.

Council met pursuant to adjournment.

Journal of Saturday read and approved.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit H. J. R. 13, which

has been adopted by the House of Representatives, for concurrence of the Council.

D. C. DADE,
Chief Clerk.

H. J. R. 13 read, and
On motion by Mr. Cornelius,
Council concurred.
On motion,
Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.
On motion by Mr. Cornelius,
Council resolved itself into

COMMITTEE OF THE WHOLE,

Mr. Cornelius in the chair.
On matters referred, viz:
H. M. To Congress for the relief of the heirs of Thomas Jeffries.
After some time spent in consideration of the same, committee rose and reported the same back to the

COUNCIL,

Without amendment.
On motion by Mr. Peebles,
H. M. To Congress for the relief of the heirs of Thomas Jeffries
Referred to committee on judiciary.
Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to transmit H. B's 41, 61, 64 and 65, which have passed this House, and request concurrence of Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 41, To tax and protect Chinamen,
Read a first time, and

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to judiciary committee.

H. B. 61, To change a territorial road in Polk county,

Read first time.

On motion by Mr. Bayley,

Rules suspended, and bill read a second time now.

On motion by Mr. Bayley,

Referred to committee on roads and highways.

H. B. 64, To amend an act entitled "An act relating to parents and children, guardians and wards, and to masters, apprentices and servants,"

Read a first time.

H. B. 65, To incorporate the Rainier Working Men's Educational and Benevolent Society,

Read a first time.

On motion by Mr. Drain,

Rules suspended, and the bill read a second time now,

On motion by Mr. Drain,

Rules further suspended, and bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Bayley, Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, and Mr. President—8.

Nays—None.

So the bill passed.

Mr. Bayley, on request, granted leave of absence.

On motion,

Council adjourned.

TUESDAY, JANUARY 20, 1857.

Council convened pursuant to adjournment.

Absent—Mr. Bayley.

Journal of yesterday read and approved.

Mr. O'Bryant, from the committee on roads and highways, to whom was referred

H. B. 61, To change a territorial road in Polk county,

Reported the same back, without amendment, and recommend that it do pass.

Mr. Ford, from the select committee to whom was referred

C. B. 18. To amend an act to locate a territorial road from Salem to Tetherow & Co.'s Mills.

Reported the same back without amendment, and recommend that it do pass.

H. B. 64, To amend an act relating to parents and children, guardians and wards, and to masters, apprentices and servants,

Read second time, and,

On motion by Mr. Cornelius,

Rules suspended, and the bill read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Ford, O'Bryant, Peebles, Ross, and Mr. President—6.

Nay—Mr. Drain—1.

So the bill passed.

C. B. 18, To amend an act to locate a territorial road from Salem to Tetherow & Co.'s Mills,

Read third time.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

H. B. 61, To change a territorial road in Polk county,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

Mr. Ford, on leave, introduced

C. B. 20, A bill to incorporate the Oregon Woolen Manufacturing Company,

Read a first time.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit H. J. R. 14, H. B's 71, 74, 77 and 76, which have passed the House of Representatives, and request concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. J. R. 14, read, and,

On motion by Mr. Peebles,

Amended by striking out the words, "Saturday, the 24th inst." and inserting "Monday, the 26th inst."

On motion by Mr. Peebles,

Council concurred in H. J. R. 14, as amended.

H. B. 71, To incorporate the Newport Railroad Company,

Read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. O'Bryant,

Referred to committee on corporations.

H. B. 74, To locate a territorial road from Estes', in Umpqua county, to intersect the territorial road from Spores' Ferry to Winchester, at Cammas Swale, in Douglas county,

Read a first time.

H. B. 76, To divorce William and Caroline Garlick,

Read a first time.

H. B. 77, To define the boundary between Yamhill and Washington counties,

Read a first time.

On motion by Mr. Peebles,

C. B. 15 referred to committee of the whole.

On motion,

Council adjourned.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Message from the House:

MR. PRESIDENT:

I As instructed by the Speaker of the House of Representatives, I herewith transmit

H. R. Inviting yourself and members of Council to take seats in the House for election of territorial officers,

For concurrence of the Council.

D. C. DADE,
Chief Clerk.

On motion by Mr. Drain,

Council concurred, and immediately adjourned to the Legislative Hall, as invited by the resolution.

JOINT CONVENTION.

The Council and House of Representatives being in joint convention, pursuant to House Joint Resolution,

On motion by Mr. Lovejoy,

The Convention proceeded to the election of territorial auditor.

Mr. Lovejoy nominated B. F. Bonham.

No other person was put in nomination.

Thereupon the Convention proceeded, *viva voce*, to vote for the candidates, which resulted as follows, viz:

B. F. Bonham received - - - - -	27 votes.
Blank, - - - - -	6 "

B. F. Bonham was thereupon declared duly elected territorial auditor.

Mr. Lovejoy put in nomination for the office of territorial treasurer,

J. D. Boon, who received - - - -	29 votes.
Blank, - - - - -	6 "

J. D. Boon was thereupon declared duly elected territorial treasurer.

Mr. Lovejoy put in nomination for the office of territorial librarian,

Hugh Harrison, who received - - - -	30 votes.
Blank, - - - - -	5 "

Hugh Harrison was thereupon declared duly elected territorial librarian.

Mr. Shuck put in nomination for the office of University land commissioner,

Ahio S. Watt, who received	30 votes.
Blank,	6 "

Ahio S. Watt was thereupon declared duly elected to the office of University land commissioner.

On motion by Mr. Dryer,

That the Convention proceed to the election of Columbia River Bar pilots,

Motion ruled out of order by the President.

On motion by Mr. Lovejoy,

Convention dissolved,

And the members of the Council adjourned to the Council Chamber.

COUNCIL.

The President called the Council to order.

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

Mr. Smith in the chair,

On matter referred, viz:

C. B. 15, For the relief of John Baker,

After some time spent therein, committee rose and reported to

COUNCIL,

And asked leave to sit again.

Leave granted.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit H. B's 79 and 84, which have passed this House, and request concurrence of Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 79, To declare the military road from Scottsburgh to Myrtle Creek a territorial road,

Read a first time.

H. B. 84, For the relief of Messrs. Roberts & Shartle,

Read a first time.

On motion by Mr. Peebles,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to committee on corporations.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit H. B's 59, 68. 69, 77, 80, 81 and 82, which have passed this House, and ask concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 59, For the prevention of, and punisment for, the enticement and harboring of seamen from ships, vessels and steamers,

Read a first time.

H. B. 68, To establish Corvallis Institute,

Read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to committee on corporations.

H. B. 69, To establish a college at the town of Sublimity, in the county of Marion,

Read a first time.

H. B. 77, To incorporate the Subordinate Divisions of the Sons of Temperance of the Territory of Oregon,

Read a first time.

H. B. 80, To amend an act entitled "An act to provide for taking an enumeration of the inhabitants of Oregon,"

Read a first time.

H. B. 81, To locate a territorial road from Oregon City, in Clackamas county, to Hillsborough, in Washington county,

Read first time, and

On motion by Mr. Peebles,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Amended by striking out the words "Oregon City," wherever they occur, and insert "Linn City."

On motion by Mr. Peebles,

Rules suspended, and the bill read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 82, To divorce Catharine Harris,

Read a first time, and,

On motion by Mr. Ford,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to committee on judiciary.

On motion,

Council adjourned.

WEDNESDAY, JANUARY 21, 1857.

Council met pursuant to adjournment.

Absent—Mr. Bayley.

Journal of yesterday read and approved.

Mr. Peebles, from the judiciary committee, to whom was referred

H. B. 43, To repeal an act entitled "An act to incorporate the Polk and Marion County Free Ferry Company,"

Reported the same back, without amendment, and recommend that it do pass.

C. B. 19, To amend an act entitled "An act to regulate proceedings in actions at law in the supreme and district courts,"

Read a second time, and,

On motion by Mr. Smith,

Referred to the committee on the judiciary.

H. B. 59, For the prevention of, and punishment for, enticement and harboring of seamen from vessels and steamers,

Read a second time, and

On motion by Mr. Drain,

Referred to the committee on commerce

H. B. 69, To establish a college at the town of Sublimity, in the county of Marion,

Read second time, and

On motion by Mr. Peebles,

Referred to select committee consisting of Messrs. Peebles, Drain and Smith.

H. B. 74, To locate a territorial road from Estes', in Umpqua county, to intersect the terrtiorial road from Spores' Ferry to Winchester, at Cammas Swale, in Douglas county,

Read a second time, and,

On motion by Mr. Smith,

Referred to the committee on roads and highways.

H. B. 76, To divorce William and Caroline Garlick,

Read a second time, and,

On motion by Mr. Peebles,

Referred to the committee on the judiciary.

H. B. 77, To define the boundary line between Yamhill and Washington counties,

Read a second time, and,

On motion by Mr. Drain,

Referred to the committee on counties.

H. B. 77, To incorporate the Subordinate Divisions of the Sons of Temperance of the Territory of Oregon,

Read a second time, and,

On motion by Mr. Drain,

Referred to the committee on corporations.

H. B. 79, To declare the military road from Scottsburgh to Myrtle Creek a territorial road,

Read a second time, and,

On motion by Mr. Drain,

Referred to committee on roads and highways.

H. B. 80, To amend an act entitled "An act to provide for taking an enumeration of the inhabitants of Oregon,"

Read a second time, and,

On motion by Mr. Drain,

Referred to the committee on counties.

H. B 43 read a third time, and,

On motion by Mr. Peebles,

Referred to select committee, consisting of Messrs. Peebles, Ford and Smith.

Message from the House

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit

H. B. 56, To consolidate and equalize taxes;

Which has passed the House, for concurrence of the Council.

D. C. DADE,
Chief Clerk.

H. B. 56, To consolidate and equalize taxes

Read a first time.

On motion,

Council adjourned.

AFTERNOON SESSION

Council met pursuant to adjournment.

Mr. Smith, from the committee on commerce, on leave, reported

H. B. 59, An act for the provention of, and punishment for, enticement and harboring of seamen from ships, vessels and steamers,

Without amendment, and recommend that it do pass.

Mr. Drain, from the committee on corporations, to whom was referred

H. B. 77, To incorporate the Subordinate Divisions of the Son's of Temperance of the Territory of Oregon,

Reported the same back, without amendment, and recommend that it do pass.

Also,

H. B. 68, To establish the Corvallis Institute,

Also,

H. B. 84, For the relief of Messrs Roberts & Shartle,

Without amendment, and recommend that it do not pass.

Mr. Ford, from the committee on counties, to whom was referred

H. B. 80, To amend an act entitled "An act to provide for taking an enumeration of the inhabitants of Oregon,"

Reported the same back, without amendment, and recommend that it do pass.

Also,

H. B. 77, To define the boundary line between Yamhill and Washington counties,

Without amendment, and recommend that it do pass.

Mr. Peebles, from the judiciary committee, to whom was referred H. B. 41, To tax and protect Chinamen mining in Oregon,

Reported the same back, with sundry amendments, and recommend that it do pass.

1st amendment—

Section 13th, 4th line, strike out the words, "other than this act provides."

On motion by Mr. Peebles,

Adopted.

2d amendment—

Section 17th, 3d line, by striking out the words, "other than this act provides for."

On motion by Mr. Peebles,

Adopted.

3d amendment—

Section 18th, by striking out the word "after," beginning of the 3d line, and inserting the word "before."

On motion,

Adopted.

On motion by Mr. Smith,

Ordered to be read a third time to-morrow.

Mr. Peebles, from the judiciary committee, to whom was referred H. M. To Congress for relief of the heirs of Thomas Jeffries,

Reported the same back, with amendment, and recommend that it do pass.

On motion by Mr Ford,

Amendment adopted.

On motion by Mr. Smith,

Memorial, as amended, adopted.

Message from the House.

MR. PRESIDENT:

I herewith, as instructed by Mr. Speaker, transmit H. B. 62, which has been passed by this House, and request concurrence of the Council in the same.

D. C. DADE,

Chief Clerk.

H. B. 62, For the relief of Willie Chapman,—

Read a first time, and,

On motion by Mr. Peebles,

Rules suspended, and bill read a second time now.

On motion by Mr. Drain,

Referred to the committee on claims.

On motion,

Council adjourned.

THURSDAY, JANUARY 22, 1857.

Council met pursuant to adjournment.

Absent—Mr. Bayley.

Journal of yesterday read and approved.

Mr. O'Bryant, from the committee on roads and highways, to whom was referred

H. B. 74, To locate a territorial road from Estes', in Umpqua county, to intersect the territorial road from Spores' Ferry to Winchester, at Cammas Swale, in Douglas county,

Reported the same back, without amendment, and recommend that it do pass,

Also,

H. B. 79, To declare the military road from Scottsburgh to Myrtle Creek a territorial road,

Without amendment, and recommend that it do pass.

Mr. Drain, from the committee on corporations, to whom was referred H. B. 71, To incorporate the Newport Railroad Company,

Reported the same back, without amendment, and recommend that it do pass.

HOUSE BILLS READ A SECOND TIME.

H. B. 56, To consolidate and equalize the public taxes,

Read a second time, and,

On motion by Mr. Drain,

Referred to the committee on ways and means.

HOUSE BILLS READ A THIRD TIME.

H. B. 41, To tax and protect Chinamen mining in Oregon,

Read a third time,

And being on its final passage, resulted as follows

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

H. B. 59, For the prevention of, and punishment for, enticement and harboring of seamen from ships, vessels and steamers,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 68, To establish Corvallis Institute,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, and Mr. President—7.

Nays—None.

So the bill passed.

H. B. 77, To incorporate the Subordinate Divisions of the Sons of Temperance of the Territory of Oregon,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 77, To define the boundary line between Yamhill and Washington counties,

Read a third time,

And being on its final passage, resulted as follows

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 80, To amend an act entitled "An act to provide for taking an enumeration of the inhabitants of Oregon,"

Read third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 84, For the relief of Messrs. Roberts & Shartle,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Peebles, Ross, Smith and Mr. President—5.

Nays—Messrs. Drain, Ford and O'Bryant—3.

So the bill passed.

H. B. 71, To incorporate the Newport Railroad Company,

Read a third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 74, To locate a territorial road from Estes', in Umpqua county, to intersect the territorial road from Spores' Ferry to Winchester, at Cammas Swale, in Douglas county,

Read a third time,

And being on its final passage resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 79, To declare the military road from Scottsburgh to Myrtle Creek a territorial road,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit

H. J. R. 15, For mail service; and

H. M. To Congress for mail facilities;

Which have been adopted by House, for concurrence of Council.

D. C. DADE.
Chief Clerk.

H. J. R. 15, For mail service,

Read, and,

On motion by Mr. O'Bryant,

Council concurred.

H. M. To Congress for mail service,

Read, and,

On motion by Mr. O'Bryant,

Council concurred.

Message from the House:—

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit H. J. R. 14, and H. B. 81, the amendments to which have been concurred in.

Also,

H. M. To Congress for military protection,

Amendment to which House refused to concur in.

And H. B. 51, which has passed the House of Representatives, and request concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. M. To Congress for military protection,

Read, and,

On motion by Mr. Peebles,

That the Council recede from their former amendment,

Motion lost.

So the Council refused to recede.

H. B. 51, A bill supplemental to an act entitled "An act relative to marriage and divorce,"

Read a first time.

Mr. Peebles, from the select committee to whom was referred

H. B. 69, To establish a college at the town of Sublimity, in the county of Marion,

On leave, reported the same back, with sundry amendments, and recommend that it do pass.

1st amendment—

Amend Section 3 by striking out all after the word "otherwise," beginning of the 15th line, to the end of the 17th line.

On motion by Mr. Peebles,

Amendment adopted.

2d amendment—

By striking out of Section 3 all after the word "vacancies," in the 19th line, to and including the word "trustees," at the end of the 24th line.

On motion by Mr. O'Bryant,

Amendment adopted.

On motion by Mr. Peebles,

The bill was read a third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

Mr. Peebles, on leave, introduced

C. B. 21, To incorporate the Board of Trustees of the Methodist Episcopal Church at the town of Fairfield.

Read a first time.

On motion,

Council adjourned.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Mr. Peebles, on leave, introduced

C. B. 22, To re-locate a part of the territorial road leading from Oregon City to Pleasant Hill.

Read first time, and,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

The rules were further suspended, and the bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, O'Bryant, Peebles, Smith, and Mr. President—6.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit H. B. 67 and C. B. 9, which have passed this House, and request concurrence of the Council in H. B. 67.

D. C. DADE,
Chief Clerk.

H. B. 67, For the relief of James Ogle,

Read a first time.

On motion by Mr. Peebles,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to the committee on claims.

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

On matter referred, viz.

C. B. 15, For the relief of John Baker.

After some time spent therein, committee rose and reported to

COUNCIL,

C. B. 15, with amendment, and recommend that it do pass

On motion by Mr. Peebles,

The amendment reported by the committee, viz:

Amend 1st section, 6th line, by striking out the words "two thousand," and inserting "five hundred" in lieu thereof

Amendment adopted.

On motion by Mr. Smith,

Ordered that the bill be considered engrossed, and read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Peebles, Ross, Smith and Mr. President—4.

Nays—Messrs. Cornelius, Drain, Ford and O'Bryant—4.

So the bill was lost.

On motion,

Council adjourned.

FRIDAY, JANUARY 23, 1857.

Council convened pursuant to adjournment.

Absent—Mr. Bayley.

Journal of yesterday read and approved.

Mr. O'Bryant, from the committee on ways and means, reported back, without amendment or recommendation—

H. B, 56, To consolidate and equalize taxes.

Mr. Drain, from the committee on claims, to whom was referred

H. B. 62, For the relief of Wilie Chapman,

Reported the same back without amendment or recommendation.

Also,

H. B. 67, For the relief of James Ogle,

Without amendment, and recommend that it do pass

Mr. Peebles, from the judiciary committee, to whom was referred

C. B. 16, To amend an act relating to the assessment and collection of taxes,

Reported the same back with amendment, and recommend that it do pass.

Also,

H. B. 76, To divorce William and Caroline Garlick,

Without amendment, and recommend that it do not pass.

Also,

H. B. 82, To grant Catharine Harris a divorce,

Without amendment, and recommend that it do pass.

Mr. Smith, from the committee on enrolled bills, reported as truly enrolled—

C. B. 9, To amend an act to incorporate Oregon City, in Clackamas county.

Mr. Peebles moved that the vote by which Council passed

H. B. 84, For the relief of Messrs Roberts & Shartle,

Be reconsidered.

Motion carried.

On motion by Mr. Peebles,

Ordered, that the clerk of the Council notify the House that Council has reconsidered the vote on H. B. 84, and request the same to be returned to the Council.

On motion by Mr Drain,

That the final vote of the Council on

C. B. 15, For the relief of John Baker,

Be reconsidered.

Motion lost.

C. B. 20, A bill to incorporate the Oregon Woolen Manufacturing Company,

Read a second time.

On motion by Mr. Ford,

Amended as follows: by striking out Section 5 and inserting in its stead the following:

"In addition to the capital stock of said company, each stockholder shall be liable for the debts of the said corporation, to an amount not exceeding the stock subscribed or held by him."

On motion by Mr. Drain,

Ordered that the bill be engrossed, and read a third time to-morrow.

H. B. 51, Supplemental to an act relating to marriage and divorce,

Read a second time, and,

On motion by Mr. Peebles,

Referred to judiciary committee.

C. B. 19, To amend an act to regulate proceedings in actions at law in the supreme and district courts,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Ross, Smith and Mr. President—7.

Nay—Mr. Peebles—1.

So the bill passed.

H. B. 82, To grant Catharine Harris a divorce,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, and Smith—7.

Nay—Mr. President—1.

So the bill passed.

H. B. 76, To divorce William and Caroline Garlick,

Read third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius and Ross—2.

Nays—Messrs. Drain, Ford, O'Bryant, Peebles, Smith, and Mr. President—6.

So the bill did not pass.

H. B. 56, To consolidate and equalize the public taxes,

On motion by Mr. Peebles,

Referred to committee of the whole.

H. B. 62, For the relief of Wilie Chapman,

On motion by Mr. Smith,

Referred to committee of the whole.

H. B. 67, For the relief of James Ogle

On motion by Mr. Peebles,

Referred to committee of the whole.

Message from the House.

MR. PRESIDENT:

I am directed by the Speaker to inform you that H. B. 84 is in the hands of the enrolling clerk.

D. C. DADE,
Chief Clerk.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit H. B's 34, 35, 37, 46, 49, 52, 58, and

H. M. To Congress for pay of expenses of volunteers, &c., 1854.

And H. J. R. 13, which the Speaker of the House has signed, and requests the signature of the President of the Council.

D. C. DADE,
Chief Clerk.

Message from the House

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit H. B. 69, the amendment to which House refuse to concur in.

House concurred in amendment to

H. M. 1, To Congress for military protection.

Also, to amendments in H. B. 41.

D. C. DADE,
Chief Clerk.

H. B. 69, To eststablish a college at the town of Sublimity, in the county of Marion,

With amendments, read, and

On motion by Mr. Peebles,

Bill and amendments laid on the table.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

The President, on leave, introduced C. B. 23.

Read a first time.

On motion by Mr. Drain,

Rules suspended, and bill read a second time now

On motion by Mr. Drain,

Referred to the committee on claims.

H. B. 84, For the relief of Messrs. Roberts & Shartle,

Having been returned from the House on the request of Council,

Question recurring on the final passage of the bill,

On motion by Mr. Peebles,

Council reconsidered the order by which said bill was put upon its final passage.

On motion by Mr. Smith,

Referred to committee of the whole.

Mr. Cornelius, on leave, introduced

C. B. 24, To repeal an act to organize the militia of Oregon.

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

Mr. Cornelius in the chair,

On the matters referred, viz:

H. B. 62, For the relief of Wilie Chapman;

H. B. 84, For the relief of Messrs. Roberts & Shartle;

H. B. 67, For the relief of James Ogle.

After some time spent therein, committee rose and reported back to

COUNCIL,

H. B. 62, without amendment, and recommend that it do pass.

Also, H. B. 67, without amendment, and recommend that it do pass.

Also, H. B. 84, without amendment, and recommend that it do not pass.

On motion by Mr. Peebles,

H. B. 62 read a third time,

And being put upon its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None

So the bill passed.

H. B. 67, came up for its third reading,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, O'Bryant, Peebles, Ross and Mr. President—6.

Nays—Messrs. Ford and Smith—2.

So the bill passed.

H. B. 84 read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Ross, Smith and Mr. President—4.

Nays—Messrs. Drain, Ford, O'Bryant and Peebles—4.

So the bill was lost.

On motion,

Council adjourned.

SATURDAY, JANUARY 24, 1857.

Council met pursuant to adjournment.

Absent—Mr. Bayley.

Journal of yesterday read and approved.

Mr. Peebles, from the committee on engrossed bills, reported as truly engrossed—

C. B. 20, To incorporate the Oregon Woolen Manufacturing Company.

Mr. Drain, from the committee on corporations, to whom was referred

C. B. 23, To incorporate the Cascades Road and Bridge Company,

Reported the same back, without amendment, and recommend that it do pass.

C. B. 21, An act to incorporate the Board of Trustees of the Methodist Episcopal Church at Fairfield,

Read a second time.

On motion by Mr. Peebles,

Ordered to be engrossed and read a third time this afternoon.

C. B. 20, To incorporate the Oregon Woolen Manufacturing Company,

Read third time,

And being on its final passage, resulted as follows.

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

C. B. 23, To incorporate the Cascades Road and Bridge Company,

On motion by Mr. Cornelius,

Ordered to be engrossed and read a third time on Monday.

Message from the House;

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to transmit H. B's 78, 85, and C. B. 14, which have passed this House, and request concurrence of Council in the same.

Also H. B's 38, 39, 44, 45, 48, 53, 54, 55, 60 and 65;

H. M. To Congress for appropriation to establish military road from Rainier, in Columbia county;

Also, the following Council Acts—

To amend an act to incorporate Oregon City, in Clackamas county;

To authorize Campbell E. Cristman and Lucinda Cristman to make a marriage settlement of their property;

Have been signed by the Speaker of this House, and request the signature of the President of the Council to the same.

D. C. DADE,

Chief Clerk.

H. B. 78, To amend an act relating to common schools,

Read a first time.

H. B. 85, To incorporate Dalles City,

Read a first time, and,

On motion by Mr. Cornelius,

Rules suspended, and the bill read a second time now,

On motion by Mr. Peebles,

Referred to committee on corporations.

Mr. Smith, on leave, introduced

C. B. 25, To repeal a part of an act entitled "An act relating to estrays, or property lost or unclaimed,"

Read a first time.

On motion by Mr. Smith,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to select committee consisting of Messrs. Peebles, Drain and Ford.

Mr. Ford, on leave, introduced

C. B. 26, To authorize John W. Griffith to erect a gate on a territorial road,

With an accompanying petition.

Read a first time.

On motion by Mr. Ford,

Rules suspended, and bill read a second time now.

On motion by Mr. Ford,

Referred to the committee on roads and highways.

Mr. Peebles, from the select committee to whom was referred

H. B. 43, To repeal an act entitled "An act to incorporate the Polk and Marion County Free Ferry Company,"

Reported the same back, without amendment or recommendation.

On motion by Mr. Ford,

Bill read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Ross, and Mr. President—6.

Nays—Messrs. Peebles and Smith—2.

So the bill passed.

Mr. Peebles, from the judiciary committee, to whom was referred

H. B. 51, A bill supplemental to an act entitled "An act relating to marriage and divorce,"

Reported the same back, without amendment, and recommend that it do pass.

On motion by Mr. Cornelius,

Bill read a third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

Mr. Peebles asked and obtained leave of absence until Monday next.

The President announced that he had signed H. B's 38, 39, 44, 45, 48, 52, 53, 54, 55, 60, 46, 65, 37, 49, 58, 35 34, H. J. R. 13, and

H. M., Asking Congress to pay expenses of volunteers called into service in 1854;

H. M. To Congress for appropriation to establish a military road from Rainier, in Columbia county;

Also, An act to authorize Campbell E. Cristman and Lucinda Cristman to make a marriage settlement of their property;

Also, An act to amend an act to incorporate Oregon City, in Clackamas county.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

Mr. Smith, from the committee on engrossed bills, reported as truly engrossed—

C. B. 21, To incorporate the Board of Trustees of the Methodist Episcopal Church at Fairfield.

Bill read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Ross, and Mr President—6.

Nays—None.

So the bill passed.

Mr. Drain, on leave, introduced

C. B. 27, For the relief of the committee appointed to visit the Penitentiary.

Read a first time.

Mr. O'Bryant, from the committee on roads and highways, to whom was referred

C. B. 26, To authorize John W. Griffith to erect a gate on a territorial road,

Reported the same back, without amendment, and recommend that it do pass,

On motion by Mr. Drain,

Bill read a third time,

And being on its final passage, resulted as follows.

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Smith, and Mr. President—6.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

I herewith, as instructed by Mr. Speaker, transmit

H. J. R. 16, Relative to territorial funds,

Which has been passed by this House, and request concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. J. R. 16, In relation to the territorial funds,

Read a first time.

On motion,

Council adjourned.

MONDAY, JANUARY 26, 1857.

Council met pursuant to adjournment.

Absent—Mr. Bayley.

Journal of Saturday read and approved.

Mr. Peebles, from the committee on engrossed bills, reported as truly engrossed—

C. B. 23, To incorporate the Cascades Road and Bridge Company.

Mr. Drain, from the committee on corporations, to whom was referred

H. B. 85, To incorporate Dalles City,

Reported the same back, without amendment, and recommend that it do pass.

H. J. R. 16, Relative to the territorial funds,

Read a second time, and,

On motion by Mr. Peebles,

Referred to committee of the whole.

H. B. 78, To amend an act entitled "An act relating to common schools,"

Read a second time, and,

On motion by Mr. Smith,

Referred to committee of the whole.

C. B. 23, To incorporate the Cascades Road and Bridge Company,

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Drain, Ford, O'Bryant, Peebles, Smith, and Mr. President—6.

Nays—None.

So the bill passed.

H. B. 85, To incorporate Dalles City,
Read a third time,
And being on its final passage, resulted as follows:

Yeas—Messrs. Drain, Ford, O'Bryant, Smith, and Mr. President—5.

Nays—Mr. Peebles—1.

So the bill passed.
Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit H. B's 15, 92, 97 and 103, which have passed the House of Representatives, and request concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 15, Declaring the Santiam River a public highway,
Read a first time.
H. B. 92, To incorporate the South Santiam Bridge Company,
Read a first time.
On motion by Mr. Drain,
Rules suspended, and bill read a second time now.
On motion by Mr. Drain,
Referred to committee on corporations.
H. B. 97, To locate and establish a territorial road from Roseburgh, in Douglas county, to Coos Bay, in Coos county,
Read a first time.
On motion by Mr. O'Bryant,
Rules ruspended, and bill read a second time now.
On motion by Mr. Drain,
Rules further suspended, and bill read a third time now.
The bill being on its final passage, resulted as follows:

Yeas—Messrs. Drain, Ford, O'Bryant, Peebles, and Mr. President—5.

Nays—None.

So the bill passed.
H. B. 103, To repeal an act entitled "An act to provide for auditing claims against the Territory growing out of the existing Indian war,"
Read first time.

On motion by Mr. Smith,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to the committee on claims.

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

Mr. Drain in the chair,

On matters referred, viz:

H. B. 55, To consolidate and equalize public taxes;

H. B. 78, To amend an act relating to common schools; and

H. J. R. 16, Relative to the territorial funds.

After some time spent therein, committee rose and reported back to

COUNCIL,

H. B. 78, To amend an act relating to common schools,

With sundry amendments, and recommend that it do pass.

H. J. R. 16, Relative to the territorial funds,

Without amendment, and recommend that it do not pass.

H. B, 55, To consolidate and equalize taxes,

Without amendment, and recommend that it do not pass.

H. B. 78 read, and,

On motion by Mr. Peebles,

Amendments recommended by the committee of the whole, that is Strike out the first, fourth and fifth sections,

Adopted.

On motion by Mr. Peebles,

Ordered that the remaining sections of the bill be numbered consecutively.

On motion by Mr. Peebles,

First section amended by striking out the words, "Be it further enacted," and inserting the words, "Be it enacted by the Legislative Assembly of the Territory of Oregon."

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit H. B's 41 and 68, and

H. M. To Congress for military protection,

Which have been signed by the Speaker of this House, and request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

The President announced that he had signed H. B's 41 and 68, and H. M. To Congress for military protection,

H. B. 78, To amend an act relating to common schools,

On motion by Mr. Drain,

Rules suspended, and the bill read a third time now.

And being on its final passage resulted as follows:

Yeas—Messrs. Peebles, Ross and Mr. President—3.

Nays—Messrs. Cornelius, Drain, Ford and O'Bryant—4.

So the bill did not pass.

On motion by Mr. Peebles,

The further consideration of H. B. 56 was indefinitely postponed.

On motion by Mr. Peebles,

The further consideration of H. J. R. 16 was indefinitely postponed.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit H. B's 94, 95 and 99, which have passed this House, and ask concurrence of the Council in the same.

D. C. DADE,
Chief Clerk.

H. B. 94, To locate a territorial road from Oregon City, in Clackamas county, to Corvallis, in Benton county,

Read a first time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a second time now.

On motion by Mr. Drain,

Referred to committee on roads and highways.

H. B. 95, To locate a territorial road from Salem to Doak's Ferry.

Read first time, and,

On motion by Mr. Peebles,

Rules suspended, and bill read a second time now.

On motion by Mr. Peebles,

Referred to select committee, consisting of Messrs. Peebles, Cornelius and Ross.

H. B. 99, Supplemental to an act entitled "An act to amend an act relating to roads and ferries,"

Read a first time.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit H. J. R. 10, which has been adopted by the House of Representatives, for concurrence of the Council.

D. C. DADE,
Chief Clerk.

During the reading of H. J. R. 10,

On motion by Mr. Peebles,

The further reading was dispensed with.

On motion by Mr. Peebles,

Referred to committee of the whole.

Mr. Ford, on leave, introduced

C. B. 28, To locate a territorial road from Salem to Grand Ronde,

Read a first time.

On motion by Mr. Ford,

Rules suspended, and bill read a second time now.

On motion by Mr. Ford,

Referred to committee on roads and highways.

Mr. Peebles, from the select committee, to whom was referred

C. B. 25, To repeal a part of an act entitled "An act to amend an act relating to estrays, or property lost or unclaimed,"

Reported the same back, without amendment, and recommend that it do pass.

H. B. 25 read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

Mr. Drain, from the committee on claims, to whom was referred

H. B. 103, To repeal an act entitled "An act to provide for auditing claims against the Territory growing out of the existing Indian war,"

Reported the same back, without amendment, and recommend that it do pass.

On motion by Mr. Peebles,

H. B. 103 read a third time.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, O'Bryant, Peebles, Ross, Smith and Mr. President—7.

Nays—None.

So the bill passed.

Mr. Drain, from the committee on corporations, to whom was referred

H. B. 92, To incorporate the South Santiam Bridge Company,

Reported the same back, without amendment, and recommend that it do pass.

On motion by Mr. Smith,

H. B. 92 read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, O'Bryant, Peebles, Ross, Smith, and Mr. President—7.

Nays—None.

So the bill passed.

On motion,

Council adjourned.

TUESDAY, JANUARY 27, 1857.

Council convened pursuant to adjournment.

Absent—Mr. Bayley.

Journal of yesterday read and approved.

Mr. O'Bryant, from the committee on roads and highways, to whom was referred

C. B. 28, To locate a territorial road from Salem to the Grand Ronde,

Reported the same back, without amendment, and recommend that it do not pass.

Also,

H. B. 94, To locate a territorial road from Oregon City, in Clackamas county, to Corvallis, in Benton county,

Without amendment, and recommend that it do pass.

Mr. Smith, from the committee on enrolled bills, reported as truly enrolled—

C. B. 11, To incorporate the Eugene City Bridge Company.

C. B. 24, To repeal an act to organize the militia of Oregon,

Read a second time, and,

On motion by Mr. Smith,

Referred to committee of the whole.

C. B. 27, For the relief of the committee appointed to examine the condition of the penitentiary at Portland,

Read a second time, and,

On motion by Mr. Smith,

Referred to committee of the whole.

H. B. 15, To declare the Santiam River a public highway,

Read a second time, and,

On motion by Mr. Peebles,

Rules suspended, and the bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—6.

Nays—Messrs. Cornelius and Drain—2.

So the bill passed.

H. B. 99, Supplemental to an act entitled "An act to amend an act relating to roads and ferries,"

Read a second time, and,

On motion by Mr. Peebles,

Referred to committee of the whole.

C. B. 28, To locate a territorial road from Salem to Grand Ronde,

Read third time.

On motion by Mr. Drain,

Indefinitely postponed.

H. B. 94,

On motion by Mr. Peebles,

Referred to committee of the whole.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit

H. M. To Congress for appropriation of $20,000 to establish military road from Coos River;

H. M. For survey of harbor of Coos Bay;

H. M. To make Port Orford a port of entry;

H. M. For light house at Cape Arago;

Which have been adopted by House, for concurrence of the Council.

D. C. DADE,

Chief Clerk.

H. M. To Congress for appropriation of $20,000 for light house at Cape Arago,

Read, and,

On motion by Mr. Drain,

Memorial adopted.

H. M. To Congress to make Port Orford a port of entry,

Read, and,

On motion by Mr. Drain,

Memorial adopted.

H. M. To Congress for official survey of the harbor of Coos Bay,

Read, and,

On motion by Mr. O'Bryant,

Memorial adopted.

H. M. To Congress for appropriation of $20,000 for establishing a military road from Coos River,

Read, and,

On motion by Mr. O'Bryant,

Memorial adopted.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit

H. M. To Congress in behalf of widows and orphans surviving Indian massacres;

H. M. To Congress to remove land office of Umpqua district from Winchester to Roseburgh, O. T.

D. C. DADE,
Chief Clerk.

H. M. To Congress on behalf of widows and orphans surviving Indian massacres,

Read, and,

On motion by Mr. Peebles,

Memorial adopted.

H. M. To Congress to remove land office of Umpqua district from Winchester to Roseburgh, O. T.,

Read, and,

On motion by Mr. Peebles,

Memorial adopted.

Mr. Peebles, from the select committee to whom was referred

H. B. 95, To locate a territorial road from Salem to Doak's Ferry, in Marion county.

Reported the same back, with an amendment.

On motion by Mr. Peebles,

Amendment reported by committee adopted, as follows:

Amend by adopting a new section, viz:

"SEC. 4. That if damages are assessed in consequence of the location of this road, the county commissioners of Marion county shall have discretionary power, either to allow such damages, and order the payment from the county treasury, or if, in their opinion, the wants and necessities of the traveling community would not warrant the payment of such damages, they may refuse to authorize the payment of the same, and in that event, the location of this road shall be void.

The bill as amended, read a third time.

And being on its final passage, resulted as follows:

Yeas—Messrs. Drain, Ford, O'Bryant Peebles, Ross, and Smith—6.

Nays—Messrs. Cornelius and Mr. President—2.

So the bill passed.

On motion,

Council adjourned.

AFTERNOON SESSION.

Council met pursuant to adjournment.

On motion by Mr. Peebles,

Council resolved itself into

COMMITTEE OF THE WHOLE,

Mr. O'Bryant in the chair.

On the matter referred, viz:

C. J. R. 10, In relation to late Indian war.

After some time spent therein, committee rose and reported back to

COUNCIL,

C. J. R. 10, with sundry amendments.

1st amendment—

Second resolution, by striking out all after the words "uttered and published by," and inserting after the said words the following "Major General Wool, of the United States Army."

On motion by Mr. Peebles,

Amendment adopted.

2d amendment read—

Strike out all of the 9th resolution.

Motion lost.

3d amendment—

Strike out after the word "editor," the words, "in the States and Territories."

On motion by Mr. Drain,

Amendment adopted.

4th amendment—

Strike out in 21st line the word "Hon.," and insert the words, "His Excellency."

On motion by Mr. Peebles,

Amendment adopted.

5th amendment—

Strike out at the close of the 3d "Whereas," the word "straight."

On motion,

Amendment adopted.

On motion by Mr. Peebles,

To adopt H. J. R. 10, as amended,

The yeas and nays were demanded, and resulted as follows:

Yeas—Messrs. Drain, O'Bryant, Peebles and Mr. President—4.

Nays—Messrs. Cornelius, Ford, Ross and Smith—4.

So the resolution was lost.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit H. B's 89, 96, 102, 104, 105, 106, 112, 113, 90, 115, 116, 119, 120, 118, 111, 107 and 109, which have passed this House, for concurrence of the Council.

Also C. B's 19, 20, 21 and 22, have passed the House.

D. C. DADE,
Chief Clerk.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I transmit H. B. 95. House concur in amendment of Council.

D. C. DADE,
Chief Clerk.

On motion by Mr. Cornelius,
C. B. 24, To repeal an act to organize the militia of Oregon,
Withdrawn from the committee of the whole.

On motion by Mr. Peebles,
To indefinitely postpone,
Yeas and nays being demanded, resulted as follows:

Yeas—Messrs. Drain, O'Bryant and Peebles—3.

Nays—Messrs. Cornelius, Ford, Ross, Smith and Mr. President—5.

Motion lost.

On motion by Mr. Cornelius,
Bill read third time now,
And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Ford, Ross and Smith—4.

Nays—Messrs. Drain, O'Bryant, Peebles and Mr. President—4.

So the bill was lost.

H. B. 89, To prevent frauds against the Territory, and against the United States,

Read a first time.

H. B. 96, To amend an act entitled "An act to provide for the sale of common school lands of the Terrieory of Oregon,"

Read a first time.

H. B. 102, For the relief of School District No 43, In Linn county,

Read a first time.

H. B. 104, To change a part of a territorial road from Sublimity, in Marion county, to Pleasant Hill, in Lane county,

Read a first time.

H. B. 105, To locate and establish a territorial road from Conser's Ferry, by way of Butteville, to intersect the Boon's Ferry and Portland road near Tualatin Bridge,

Read a first time.

H. B. 106, To require certain counties to supply deficits in their territorial revenue for the year 1855,

Read a first time.

H. B. 112, To declare Coal Bank Creek a public highway,

Read a first time.

H. B. 113, For the relief of Cox & Palmer,

Read a first time.

H. B. 90, To incorporate the town of Corvallis,

Read a first time.

H. B. 115, To incorporate the Willamette Falls Canal and Transportation Company,

Read first time.

H. B. 116, To amend an act relating to marks and brands, weights and measures,

Read first time.

H. B. 119, To locate a territorial road in Yamhill and Polk counties,

Read first time.

H. B. 120, To divorce Mary Collins from her husband, John Collins,

Read first time.

H. B. 118, To submit to a vote of the precincts the question of license to retail ardent spirits,

Read a first time.

H. B. 111, To amend an act entitled "An act to regulate the treasury department,"

Read first time.

H. B. 107, To provide for the election, and to define the duties of the superintendent of the penitentiary,

Read a first time.

H. B. 109, To revive a portion of a territorial road,

Read a first time.

Mr Peebles introduced the following resolution:

Resolved, That when the Council adjourn, the adjournment shall extend to nine o'clock to-morrow morning.

Adopted.

On motion,

Council adjourned.

WEDNESDAY, JANUARY 28, 1857.

Council met pursuant to adjournment.

Absent—Mr. Bayley.

Journal of yesterday read and approved.

On motion by Mr. Ford,

Council reconsidered the vote on

C. J. R. 10, In relation to the late Indian war.

H. B. 89, To prevent frauds against the Territory and the United States,

Read a second time, and,

On motion by Mr. Peebles,

Rules suspended, and the bill read a third time now.

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nay—Mr. Drain—1.

So the bill passed.

H. B. 90, To incorporate the town of Corvallis,

Read a second time, and,

On motion by Mr. Peebles,

Further reading dispensed with.

On motion by Mr. Drain,

Rules suspended, and bill read a third time now,

And being put upon its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None

So the bill passed.

H. B. 96, To amend an act entitled "An act to provide for the sale of common school lands of the Territory of Oregon,"

Read a second time, and,

On motion by Mr. Smith,

Referred to the committee on education.

H. B. 102, For the relief of School District No. 43, in the county of Linn,

Read a second time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a third time now.

The question being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith, and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 104, To change a part of a territorial road leading from Sublimity, in Marion county, to Pleasant Hill, in Lane county,

Read a second time, and,

On motion by Mr. Smith,

Referred to select committee consisting of Messrs. Smith, Drain and O'Bryant.

H. B. 105, To locate and establish a territorial road from Conser's Ferry, by the way of Butteville, to intersect the Boon's Ferry road near Tualatin Bridge,

Read a second time, and,

On motion by Mr Peebles,

Rules suspended, and bill read a third time now.

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Smith and Mr. President—7.

Nay—Mr. Ross—1.

So the bill passed.

H. B. 106, To require certain counties to supply deficits in their territorial revenue for the year 1855,

Read a second time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, O'Bryant, Peebles, Smith and Mr. President—6,

Nays—Messrs. Ford and Ross—2.

So the bill passed.

H. B. 107, To provide for the election, and to define the duties of the superintendent of the penitentiary,

Read second time, and,

On motion by Mr. Cornelius,

Referred to select committee, consisting of Messrs. Cornelius, Peebles and Drain.

H. B. 109, To revive a portion of a territorial road,

Read a second time, and,

On motion by Mr. O'Bryant,

Rules suspended, and bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 111, To amend an act entitled "An act to regulate the treasury department,"

Read a second time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 113, For the relief of Messrs. Cox & Palmer,

Read a second time, and,

On motion by Mr. Peebles,

Rules suspended and bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, O'Bryant, Peebles, Ross, Smith and Mr. President—6.

Nays—Messrs. Drain and Ford—2.

So the bill passed.

H. B. 115, To incorporate the Willamette Falls and Transportation Company,

Read a second time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—None.

Nays—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

So the bill did not pass.

H. B. 116, To amend an act relating to marks and brands, weights and measures,

Read a second time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 119, To locate a territorial road in Yamhill and Polk counties,

Read a second time, and,

On motion by Mr. Ford,

Rules suspended, and bill read a third time now.

The bill being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

H. B. 118, To submit to a vote of the precincts the question of retail of ardent spirits,

Read a second time, and,

On motion by Mr. Peebles,

Referred to select committee, consisting of Messrs. Peebles, Cornelius and O'Bryant

H. B. 120, To divorce Mary Collins from her husband, Wm. Collins.

On motion by Mr. Peebles,

To indefinitely postpone,

Lost.

Bill read a second time, and,

On motion by Mr. Drain,

Rules suspended, and bill read a third time now,

And being on its final passage resulted as follows

Yeas—Messrs. Cornelius, O'Bryant, Ross and Smith—4.

Nays—Messrs. Drain, Ford, Peebles and Mr. President—4.

So the bill was lost.

On motion by Mr. Smith,

Committee of the whole discharged from the further consideration of all bills committed to said committee.

H. B. 94, To locate a territorial road from Oregon City to Corvallis,

On motion by Mr. Kelly,

Amended by inserting the word "territorial," before the word "road," in 4th line, 1st section.

On motion by Mr. Peebles,

Bill read a third time,

And being on its final passage, resulted as follows

Yeas—Messrs. Cornelius, Drain, Ford, Peebles, Ross, Smith, and Mr. President—7.

Nays—None.

So the bill passed.

C. B. 27, For the relief of the committee appointed to examine the condition of the penitentiary at Portland,

On motion by Mr. Peebles,

The bill was read a third time,

And being on its final passage, resulted as follows

Yeas—Messrs. Drain, Ford, Ross and Mr. President—4.

Nays—Messrs. Cornelius, Peebles and Smith—3.

So the bill passed.

H. B. 99, Supplemental to an act entitled "An act to amend an act relating to roads and ferries,"

Read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. O'Bryant and Peebles—2.

Nays—Messrs. Cornelius, Drain, Ford, Ross, Smith and Mr. President—6.

So the bill was lost.

Mr. Peebles, from the committee on education, to whom was referred

H. B. 96, To amend an act entitled "An act to provide for the sale of common school lands of the Territory of Oregon,"

Reported the same back, with an amendment.

Amendment read, and,

On motion by Mr. Peebles,

Adopted, as follows:

By adding to the 2d section the words—

"*Provided*, That if the purchaser or purchasers shall fail to make payment of the purchase money and interest in full within thirty days after the last payment shall have matured, then the lands shall revert to the common school fund, and the note or notes remaining unpaid shall be returned to the said purchaser; *and provided further*, that when the last payment shall have matured, or within thirty days thereafter, the purchaser, in lieu of the payment of the interest then due, have the time of payment extended by complying with the provisions of the 4th section of this act, and upon giving the security upon real estate there required; and in this case there shall be reversion of the lands consequent upon final failure of payment."

Bill, as amended, read a third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Drain, Ford, Ross and Smith—4.

Nays—Messrs. Cornelius, O'Bryant, Peebles and Mr. President—4.

So the bill was lost.

Mr. Smith, from the committee on enrolled bills, reported as truly enrolled—

C. B. 21, An act to incorporate the Board of Trustees of the Methodist Episcopal Church at Fairfield.

Also,

C. B. 19, An act to amend an act to regulate proceedings in actions at law in the supreme and district courts.

Also,

C. B. 22, An act to re-locate a part of the territorial road leading from Oregon City to Pleasant Hill.

Message from the House:

MR. PRESIDENT:

I herewith transmit, as instructed by Mr. Speaker, C. B. 23, which has passed this House.

Also, H. B's 64, 71, 74, 77, 79, 81, 82, H. J. R. 15,

H. M. To Congress for relief of the heirs of Thomas Jeffries,

H. M. To Congress for increase of mail facilities in Oregon;

Have been signed by the Speaker of this House, and request the signature of the President of the Council to the same.

D. C. DADE,

Chief Clerk.

The President announced that he had signed H. B's 82, 81, 79, 77, 71, 64, H. J. R. 15, and

H. M. To Congress for increase of mail facilities.

Also,

H. M. To Congress for relief of the heirs of Thomas Jeffries.

Mr. Smith introduced

C. R. —. *Resolved by the Council*, That the resolution passed at the commencement of the present session, requiring return of Statutes, is hereby declared of no effect, and that each member be entitled to such Statute.

On motion by Mr. Smith,

Resolution adopted.

On motion,

Council adjourned.

AFTERNOON SESSION.

The Council met pursuant to adjournment.

Mr. Peebles, from the committee to whom was referred

H. B. 118, To submit to a vote of the precincts the question of license to retail ardent spirits,

Reported the same back, with amendments.

On motion by Mr. Peebles,

1st amendment reported by committee, viz: Strike out all of section 3 after the word "officers," in 5th line,

Adopted.

On motion by Mr. Peebles,

2d amendment reported by the committee, viz: Strike out sections 5 and 6 of the bill,

Adopted.

On motion by Mr. O'Bryant,

The bill, as amended, ordered to be read a third time now.

On motion by Mr. Peebles,

The vote ordering the bill to a third reading was reconsidered.

On motion by Mr. Peebles,

Amended by adding the words, "resident in the precinct or ward," after the word "voter," end of 8th line, 2d section.

On motion by Mr. Smith,

Bill read a third time now,

And being on its final passage, resulted as follows:

Yeas—Messrs. Drain, Ford, Peebles, Smith and Mr. President—5.

Nays—Messrs. Cornelius, O'Bryant and Ross—3.

So the bill passed.

Mr. Cornelius from the committee to whom was referred

H. B. 107, To provide for the election, and to define the duties of the superintendent of the penitentiary,

Reported the same back, with sundry amendments.

1st amendment—

In 7th section, 12th line, after the words "sum of," strike out "five," and insert "three."

On motion by Mr. Cornelius,

To adopt,

Motion lost.

2d amendment—

Section 8, 28th and 33d lines, strike out "one thousand," and insert "five hundred."

On motion by Mr. Drain,

To adopt,

Motion lost.

3d amendment—

Section 10, 2d line, strike out "one thousand," and insert "six hundred."

On motion by Mr. Drain,

To adopt;

Motion lost.

On motion by Mr. Cornelius,

Bill amended by striking out the word "five," and insert the word "four," in 12th line of 7th section.

On motion by Mr. Cornelius,

Bill, as amended, read third time,

And being on its final passage, resulted as follows:

Yeas—Messrs. Cornelius, Drain, Ford, O'Bryant, Peebles, Ross, Smith and Mr. President—8.

Nays—None.

So the bill passed.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I transmit C. B. 20, which, as amended, has passed the House for the concurrence of the Council.

D. C. DADE,
Chief Clerk.

House amendment to C. B. 20 read, as follows:

Strike out of section 5 the word "each," in the 2d line, and insert the word "that."

On motion by Mr. Ford,

Council concurred.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit C. B. 25, which has passed the House, with amendment, and request concurrence of Council in the same.

D. C. DADE.
Chief Clerk.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I inform the Council that House concur in amendment to H. B. 94.

D. C. DADE,
Chief Clerk.

On motion by Mr. Smith,

Council concurred in House amendment to C. B 25.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker of the House, I herewith transmit for your signature H. B's 15, 59, 95, and

H. M. For survey of harbor of Coos Bay;

H. M. To make Port Orford a port of entry;

And also, C. B's 19, 21 and 22; which have been signed by Mr. Speaker.

D. C. DADE,
Chief Clerk.

Mr. Peebles, from the committee on education, to whom was referred the report of the University land commissioner, returned the same, on leave, without recommendation.

Mr. Smith, from the committee on enrolled bills, reported as truly enrolled—

C. B. 27, For the relief of the committee appointed to visit the Penitentiary.

On motion by Mr. Drain,

H. J. R. 10 read, and,

On motion by Mr. Ford,

Adopted as amended.

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker of the House of Representatives to transmit H. B's 43, 57, 59, 61, 62, 67, 76, 80, 85, 97, 103, and

H. M. To Congress in behalf of widows and orphans surviving Indian massacres;

H. J. R. 14;

H. M. To Congress for appropriation of $20,000 for light house at Cape Arago;

H. M. To Congress for appropriation of $20,000 for establishing a military road from Coos River.

Also, C. B's 14 and 24;

Which have been signed by the Speaker of the House, and request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

The President announced that he had signed H. B's 80, 43, 54, 59, 61, 62, 67, 74, 76, 103, 95, 15, 97, 59, 85; also,

H. M. To Congress for official survey of the harbor of Coos Bay;

H. M. For light house at Cape Arago;

H. M. To Congress on behalf of widows and orphans surviving Indian massacres;

H. M. To Congress for appropriation of $20,000 to establish military road from Coos River;

H. M. To Congress to make Port Orford a port of entry;

H. J. R. 14, Respecting adjournment;

Also, C. B. 14, 22, 21, 19, and

An act to incorporate the Cascades Road and Bridge Company.

On motion by Mr. Peebles,

Council took a recess until seven o'clock, P. M., inst.

EVENING SESSION.

Mr. Smith from the committee on enrolled bills, reported as truly enrolled—

C. B. 20, To incorporate the Oregon Woolen Manufacturing Company;

Also,

C. B. 25, To repeal a part of an act entitled "An act to amend an act relating to estrays, or property lost or unclaimed."

Mr. Smith, on leave introduced

C. R. —, as follows:

Resolved, That when the Council adjourns, it adjourn to meet at eight o'clock to-morrow morning.

On motion by Mr. Smith,

Resolution adopted.

Message from the House:

MR PRESIDENT:

I am instructed by Mr. Speaker to inform you that Council amendments to H. B. 107 is concurred in by House; refused to concur in 1st and 2d Council amendments—conpurred in 3d amendment to H. B. 118, which is returned for further consideration of Council.

D. C. DADE,
Chief Clerk.

On motion by Mr. Smith,
That Council recede,
Motion lost.
Message from the House

MR. PRESIDENT:

As instructed by the Speaker of the House of Representatives, I herewith transmit

An act to incorporate the Oregon Woolen Manufacturing Company;

An act to repeal a part of an act entitled "An act to amend an act relating to estrays, or property lost or unclaimed;

Which have been signed by the Speaker of this House, and request the signature of the President of the Council to the same.

D. C. DADE,
Chief Clerk.

The President announced that he had signed—

An act to incorporate the Oregon Woolen Manufacturing Company;

An act to repeal a part of an act entitled "An act relating to estrays, or property lost or unclaimed,"

On motion,
Council adjourned.

THURSDAY, JANUARY 29, 1857.

Council met pursuant to adjournment.
Absent—Mr. Bayley.
Journal of yesterday read in part.

On motion by Mr. Peebles,

Further reading dispensed with.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit H. B's 94, 105, 107, which the Speaker of the House has signed, and requests the signature of the President of the Council.

D. C. DADE,
Chief Clerk.

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I herewith transmit H. B's 90, 92, 106, 109, 116,

An act declaring Coal Bank Creek a public highway;

An act to locate a territorial road from Daniel Matheny's, in Yamhill county, to B. F. McClench's, in Polk county;

Which have been signed by Mr. Speaker, for signature of Mr. President of Council.

D. C. DADE,
Chief Clerk

Message from the House:

MR. PRESIDENT:

As instructed by the Speaker, I transmit H. B's 89, 113, and

H. M. To Congress for removal of land office from Winchester;

Which have been signed by Mr. Speaker for the signature of the President of the Council.

D. C. DADE,
Chief Clerk.

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker to inform you that the House concur in the amendments of Council to H. J. R. 10, except the 1st, and request Council to recede.

Also, House has appointed Messrs. Lovejoy, Moffit and Collard, committee of conference on H. B. 118.

D. C. DADE,
Chief Clerk.

The President appointed as a committee of conference on H. B. 118, Messrs. Peebles, Drain and Cornelius.

Message from the House:

MR. PRESIDENT:

I am instructed by the Speaker to inform you that the House has completed all business before it, and is now ready to adjourn *sine die*.

D. C. DADE,
Chief Clerk.

The President announced that he had signed H. B's 89, 94, 107, 113, 112, 102, 92, 93, 90, 105, 119, 116, 106, 109, and

H. M. To Congress to remove land office from Winchester.

On motion,

The Council adjourned *sine die*.

Before declaring the Council dissolved, the President delivered his valedictory address, as follows:

GENTLEMEN OF THE COUNCIL:

In a little while this body will be dissolved, and we will return to our homes, each one to give an account of his stewardship to those who sent him here.

The majority of you will doubtless meet here again during the coming year; and if so, I am persuaded that the same courtesy, the same kindness, and the same interest for the public weal, will mark your future, that has characterized your past career.

There are others of us whose legislative duties are now brought to a close, and who are about to return to private life, with the consciousness of having done our duty to the best of our ability. In some things, we may indeed have erred—for human judgment is not wholly free from human frailty—but no one, I think, can say that while discharging our duty here, any one of us has wilfully done wrong.

During the last three years, we have, it is true, at times differed upon questions of public policy, and of public importance. We have, too, had earnest and animated debate; but nothing, I am happy to say, has ever occurred to destroy our friendship for each other, or to mar the

kindly feeling that has ever existed in our little band. The remembrance of this friendship and regard for each other, I trust, will still live as we pass adown the tide of time; and memory will treasure up many pleasing reminiscences of our legislative days, upon which it will hereafter be pleasing for us to dwell.

Your conduct towards me, as the presiding officer of this body, has always been kind and indulgent, while, at the same time, your habits of order and courteous behavior to each other, as well as to myself, have made mine a pleasant pastime rather than a task.

For this kindness, allow me to wish you in return all that can make you prosperous and happy in life, and to indulge the hope that nothing may ever occur to lessen our esteem and regard for each other as men, or as citizens of Oregon.

I now declare the Council adjourned *sine die*.

JAMES K. KELLY,
President of the Council.

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